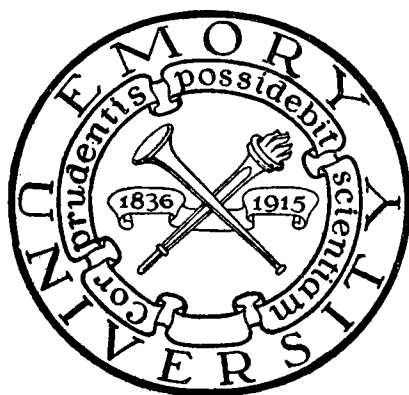


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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF GEORGIA
AT THE
EXTRAORDINARY SESSION
OF THE
General Assembly
AT ATLANTA
Tuesday, August 25, 1908



CHAS. P. BYRD, STATE PRINTER
ATLANTA, GA.

JOURNAL.

ATLANTA, GA.,

TUESDAY, August 25, 1908.

Pursuant to the call of the Governor, the House met in extraordinary session this day at 9 o'clock a. m., was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names.

Adams of Chatham,	Brown of Carroll,	Culbreth,
Adams of Elbert,	Brown of Oglethorpe,	Daniel,
Adams of Wilkinson,	Buchannon,	Davis
Adkins,	Burkhalter,	Davison,
Alexander,	Burwell,	Dickey,
Allen,	Butt,	Donalson,
Anderson of Bulloch,	Calbeck,	Dorminy,
Anderson of Cobb,	Caliaway,	Dunbar,
Arnold,	Candler,	Duggan,
Ashley,	Cannon,	Dykes,
Atkinson,	Chamlee,	Eaves,
Austin,	Clark,	Edmondson,
Ballard,	Clifton,	Edwards,
Barrett,	Collum,	Ellison,
Barrow,	Cook of Chat'hoochee,	Estes,
Bell,	Cook of Telfair,	Fagan,
Berry,	Cooke of Thomas,	Flanders.
Blackburn,	Covington,	Flannigan,
Bond,	Couch,	Foster,
Bowen,	Cowan,	Fowler,
Boyd,	Crawford,	Fraser,

Frier,	McCarthy,	Simmons,
Fullbright,	McIntyre,	Slade,
Furr,	McMahan,	Slater,
Geer,	McMichael,	Smith of Calhoun,
Gibson,	McMullan,	Smith of Campbell,
Glenn,	McWilliams,	Stephens,
Godley,	Martin,	Stewart,
Goode,	Massengale,	Strickland,
Guyton,	Maxwell,	Stubbs,
Hall,	Mays,	Sumner,
Hamilton,	Mercer,	Swilling,
Hardeman,	Moore,	Taylor of Appling,
Harris,	Morris,	Taylor of Sumter,
Haywood,	Mundy,	Terrell,
Heard,	Nix,	Thorne,
Hill,	Nowell,	Thurman,
Hines,	Odum,	Tift,
Holder,	Orr,	Townsend,
Howard,	Parker,	Tracy,
Hubbard,	Parrish,	Trent,
Huff,	Payton,	Tuggle,
Huie,	Perry,	Tyson,
Hullender,	Persons,	Walker of Lowndes,
Jackson,	Peterson,	Walker of Milton,
Johnson of Jasper,	Pope of Brooks,	Walker of Wash'gton,
Johnson of Jeff Davis	Pope of Dade,	Ward,
Johnson of Towns,	Powell,	Warnell,
Jones of Meriwether,	Price of Bartow,	Watkins,
Jones of Mitchell,	Price of Oconee,	White of Madison,
Keith,	Reid of Macon,	White of Screven,
Kendall,	Reid of Putnam,	Whitley,
Kendrick,	Reid of Wilcox,	Williams,
Lee,	Rogers,	Wilson,
Lively,	Rountree,	Wise,
Lumsden,	Russell,	Wootten,
Lunsford,	Ryals,	Wynne,
Matthews,	Shaw,	Young,
MacFarland,	Sheffield,	Mr. Speaker,

Those absent were Messrs.—

Atwater,	Crumbley,	Wright of Floyd,
Barksdale,	Dean,	Wright of Richmond,

The following communication from the Governor, together with a certified copy of the proclamation, by which the General Assembly is convened in extraordinary session, was read, to-wit:

STATE OF GEORGIA,
EXECUTIVE DEPARTMENT,
ATLANTA.

August 24, 1908.

HON. JOHN M. SLATON,
Speaker of the House of Representatives,
Atlanta, Ga.

My Dear Sir:

On the 20th day of August a call was issued for an Extraordinary Session of the General Assembly to be held on August 25th.

I hand you herewith for such use as the House of Representatives may deem proper, a certified copy of the call.

Respectfully yours,

HOKE SMITH, *Governor*

In House, read August 25, 1908.

PROCLAMATION BY THE GOVERNOR.

IN THE NAME AND BY AUTHORITY OF THE STATE OF
GEORGIA.

WHEREAS, The General Assembly by an Act approved August 17th, 1903, entitled "An Act to amend an Act approved December 21st, 1897, being an Act to create a Prison Commission for the State of Georgia, to hire the labor of certain felony convicts for a period of five years after the expiration of the present contract, to dispose of the money arising therefrom, and to authorize the Governor and the Prison Commission to impose fines upon certain county authorities for failure to comply with the law and regulations governing misdemeanor chaingangs, and for other purposes," provided for the disposition of the convicts of the State, and,

WHEREAS, By the terms of said Act the disposition of the convicts made under said Act expires on March 31st, 1909, and,

WHEREAS, No legislative provision has been made for the disposition of said convicts beyond March 31st, 1909, and,

WHEREAS, The next regular session of the General Assembly will not convene until the fourth Wednesday in June, 1909, and,

WHEREAS, The committee appointed at the last regular session of the General Assembly has been engaged in the investigation of the convict system and will be ready to report in a few days,

Now, therefore, by virtue of the authority vested in me by Article V, Section 1, Paragraph 13 of the Constitution, I, Hoke Smith, Governor of Georgia, do hereby convene the General Assembly of the State in extraordinary session to meet in their respective halls at the capitol in Atlanta on Tuesday, August 25th, A. D. 1908 at nine o'clock a. m. on the date named for the following objects:

To hear the report of said special committee and to take such action thereon as may be deemed advisable.

To consider legislation broadly upon the disposition now and hereafter to be made of persons convicted of crime, both misdemeanors and felonies, including the establishment of a plan or plans for the management, confinement and labor of convicts and including the undertaking of such work or works in connection with which convicts may be used, together with the raising of revenue and the appropriation of money to carry out such plans, and to provide for the establishment of juvenile courts and reformatories.

To submit to the vote of the people Constitutional

amendments and to pass legislation upon said subjects.

Given under my hand and the great seal of the State at the city of Atlanta this, the twentieth day of August, in the year of Our Lord, nineteen hundred and eight.

HOKE SMITH, Governor.

By the Governor,
PHILIP COOK,
Secretary of State.

STATE OF GEORGIA,
EXECUTIVE DEPARTMENT, ATLANTA.

I, Josiah Carter, Secretary of the Executive Department, do hereby certify that the above and foregoing typewritten matter is a true and correct transcript from the records of file in this office.

Given under my hand and the seal of The Executive Department this, the twenty-fourth day of August, 1908.

JOSIAH CARTER,
Secretary Executive Dept.

The following message was received from the

Senate through Mr. Northen, Secretary thereof:

Mr Speaker:

I am instructed to inform the House, that the Senate has convened in extraordinary session, and is ready for the transaction of business.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

Mr. Speaker:

The Senate has adopted the following resolution, in which the concurrence of the House is respectfully asked, to-wit:

No. 1. A resolution providing for a joint committee of two from the Senate and three from the House of Representatives to inform His Excellency, the Governor, that the General Assembly has convened in extraordinary session, etc.

The President of the Senate has appointed on said committee Senators Gordy and Walden.

The following resolution was introduced, read and adopted, to-wit:

By Mr. Holder, of Jackson—

A resolution providing that the Senate be notified that the House has convened in extraordinary ses-

sion, and is ready for the transaction of business.

The following Senate resolution was taken up, read and concurred in on motion of Mr. Candler, of DeKalb, to-wit:

By Mr. Gordy, of 24th District—

A resolution providing for a committee of three from the House and two from the Senate to notify the Governor that the General Assembly has convened in extraordinary session.

In pursuance of the provisions of the above resolution the Speaker appointed as the Committee on the part of the House, Messrs. Alexander, of DeKalb; Young, of Troup; Reid, of Putnam.

ATLANTA, GA., August 25, 1908.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Carter:

Mr. Speaker:

I am directed by His Excellency, the Governor, to deliver to the House of Representatives a communication in writing:

The message was as follows:

MESSAGE.

STATE OF GEORGIA.

EXECUTIVE DEPARTMENT,

ATLANTA, August 25, 1908.

To the General Assembly of the State of Georgia:—

You have been called to meet in extraordinary session for the purpose of considering the disposition to be made of those convicted of crime, together with questions which are incident to the solution of this problem.

There were other matters of legislation undisposed of and pending before your bodies when they adjourned which were of great importance, but this one question involves so much to the State that I have deemed it best to include no other in the work of the present session.

While no maudlin sentiment should interpose between the criminal and the punishment for crime, I believe that we will all agree that the leasing out of convicts in Georgia should cease.

The problem of handling five thousand convicts is serious and full of difficulties. They should be pun-

ished and yet they should not be treated brutally. An effort should be made to encourage reformations among them. I concede that there is little hope of reformation as to many of the convicts but there must be some who can be improved by proper effort during their confinement. While a mercenary motive should in no sense be the purpose of handling convicts, still if they can be made self-supporting and be so handled as to bring some benefits to the State without violating the obligations of the State, such a result is certainly to be desired.

My own opinion is that the convicts of Georgia, five thousand in number, could be used in a way by which humane treatment might be assured, opportunity for reformation afforded and yet contribute greatly to the progress and prosperity of the people of the entire State.

There are railroads to be built, public highways to be constructed, dirt roads to be graded and improved, swamp lands to be drained, and many other internal improvements upon which they could be used which would increase the opportunity for progress and prosperity all over Georgia.

Foremost among the opportunities presented is the extension of the Western & Atlantic railroad to the ocean.

The Western & Atlantic in its present form is a great property, but it will be in danger at the completion of the lease to the Nashville, Chattanooga &

St. Louis Railroad Company unless the scheme of its originators is executed, and it is extended to deep water at one or more of our ports.

I have no doubt that a line built from the present terminus of the Western & Atlantic railroad to one or more ports in our State could be leased for a sum which would pay interest on the cost of construction, and also interest on several millions of dollars in excess of the cost.

The extension will protect our present property, yield a handsome net profit to the State, and largely contribute to the permanent commercial independence of our people by the control of interstate freight rates.

I present these views because the time must come when they will be executed and because no disposition of convicts should be made which will prevent their use in this great enterprise when the State is ready to undertake it.

For the present I suggest a plan of handling the convicts which, while promising less, is simpler and easier, but out of which I hope eventually to see grow the larger uses which I have mentioned.

First. Submit a Constitutional amendment to the people which will name the time beyond which the leasing of convicts in Georgia shall cease. This amendment should be advertised on Wednesday, September 2nd, so no time can be lost in its passage.

Second. Pass a bill to raise additional revenue for your penitentiary system.

Third. Encourage each county to work its misdemeanors and felony convicts upon the public roads and upon other public improvements in the county. I have heard from the ordinaries of many of the counties of the State, and their letters indicate a general disposition by the counties to use the convicts along the line I have suggested.

Fourth. Where the quota of convicts, misdemeanors and felonies, going to a particular county is too small in number to justify their economic use by the county to receive them, permit any two or more counties to join together consolidating their convicts and allow them to work part of the time in each county, the amount of work in each county to be apportioned according to the number of convicts each county has in the combined force. This plan of exchanging convicts should be enlarged as far as possible.

Fifth. The State would retain charge of the balance of the convicts. The State should have two or more farms as a basis of operation. It might buy one or more iron or coal mines.

Those convicts whose dangerous character might render it advisable that they be not worked upon the public roads should be retained by the State and worked on the farms or in the mines. Upon the farms the State should raise all that the convicts

needed to eat. The convicts upon them should make clothes, shoes, wagons and all classes of supplies needed by the State for the convicts and their use.

I have carefully examined the experiment of working convicts upon farms which has been made in a number of Southern States. Indeed, it can scarcely longer be called an experiment. It has been fully demonstrated that this class of work for negro convicts can be made profitable to the State, and yet furnish an opportunity for performing the State's duty to the convict to the fullest extent.

The State should organize road working forces with suitable machinery and from time to time build roads in those counties where the counties received no convicts. The county authorities should name the roads to be built and also bear the expenses of the convicts while working roads in their respective counties. Any profits made from the use of the convicts upon farms or mines should be used towards paying expenses of working the convicts in the counties not receiving convicts. Any surplus of convicts which the counties did not take and which the State at any time is not working upon the roads in the counties could be worked upon the farms.

Sixth. All the money derived from this time on from the hire of convicts should be used to prepare to handle those convicts which the State must retain.

Seventh. Take some action providing at least for the investigation and report to the next legislature

upon the extension of the Western and Atlantic Railroad by the use of convicts.

I wish especially to call your attention to the fact that there has never been a time in the history of the State when with such small inconvenience the convict lease system could be abandoned.

You appropriated last year to the schools of the State \$332,524.75 more than was appropriated to them in 1907. You appropriated last year for 1909 to the schools of the State \$582,524.75 more than was appropriated to them in 1907. The schools received in 1907 something over \$200,000 from convict hire. When your appropriations were made in 1907 to the schools for this year and next year it was generally understood that the convict hire was included in the appropriations. But a careful examination of the Act disclosed the fact that this was not true.

You can, therefore, cease giving to the public schools anything from convict hire and yet leave them all that you intended to give them when the appropriation Act was passed in the summer of 1907.

Good roads and common schools should go together. Both help to develop the people and enrich the State. We are making progress with our schools. We have neglected our public roads.

I have presented the foregoing plan of handling the convicts as perhaps the best which we can adopt at the present time. I present it with no claim of

originality but in the effort to help bring together and harmonize what seems to have been conflicting views of your different members and bodies. I do not claim that the plan is ideal.

I believe it would be better for all the convicts to be worked by the State upon farms, in mines, upon public roads, and in the construction of public highways, and in the drainage and development of land now not capable of use.

I hope the time will come when from whatever system you adopt there will develop the exclusive utilization of the convicts by the State and that they will be used to complete and perfect public highways and other internal improvements, using the farms as a basis of operation.

At the head of your penitentiary system there must be ability, honesty and enthusiasm. Those in charge on salaries should be required to give their entire time to the work. Those acting as supervisors should give their entire time to it. Those handling farms should be called to no divided allegiance and should not be subjected to the development of selfish action by seeing their own property calling for their attention in the neighborhood of the State's property.

There must be the earnest desire to help the people of Georgia by aiding the counties with information and inspiration, that they may handle their convicts humanely yet economically; that they may per-

form the duty of the State to those convicted of crime and yet bring returns to the citizens by improving in the most practical and economical manner the roads and public enterprises of the county.

The study of good roads is attracting the attention of the country. A great amount of information as to how they should be built can be furnished, and intelligent suggestion should be made from the State's penitentiary officers to the officers of the localities charged with handling convicts.

The whole system should receive supervision by the State, uninfluenced by politics or by selfishness, and inspired by real patriotism.

I commend to your favorable consideration the parole system as part of our plan for handling convicts. With ample farm facilities connected with the general plan of handling the problem, the convict might well, during the last of his confinement, be permitted to work in citizens clothes for a while before going back among the public. To discharge from chains and stripes a dangerous convict, with no progressive step taken by which his reformation is sought, cannot be contemplated without almost a shudder of alarm when we see the danger of such a course.

The reformatory for the young should be greatly improved. I believe care and thought directed toward it from those at the head of your system will be productive of valuable results.

I will not dwell upon the misdemeanor convicts as a separate class. It is scarcely necessary for me to say that the leasing of misdemeanor convicts to individuals with no State supervision should not be tolerated, and I incline to the opinion that individuals and corporations in Georgia handling misdemeanor convicts are in many instances subject to prosecution and suits for false imprisonment.

I know that we are all agreed upon the separation of the races and that you will make ample provision in whatever legislation you pass covering this question and providing for the care upon the State Farm of female convicts whether convicted of misdemeanors or felonies.

Any information which I have received from other States or from the county officers is at your disposal.

HOKE SMITH, Governor.

On motion of Mr. Alexander, the House took a recess for five minutes and at the expiration of that time was again called to order by the Speaker.

The following bill was introduced and read the first time, to-wit:

By Mr. Holder of Jackson—

A bill to provide for future employment of felony and misdemeanor male convicts upon the public roads of the several counties of the State and for other purposes.

Penitentiary.

On motion of Mr Hall of Bibb three hundred copies of the above bill were ordered printed for use of the House.

On motion of Mr. Candler of DeKalb the Governor's message submitted this morning was referred to the Penitentiary Committee.

The Speaker asked if there was objection to W E. Prescott who was appointed doorkeeper at the last regular session of the House being considered as doorkeeper during the present extraordinary session; there was none and Mr. Prescott was therefore continued as doorkeeper.

The undersigned members of the Joint Committee to investigate certain charges against the administration of the prison department submitted the following report.

Mr Speaker:

The Joint Committee under Senate Resolution No. 37, to investigate certain charges in reference to the administration of the Prison Department, beg leave to report as follows:

The Committee met promptly after its appoint-

ment, and organized, and entered upon the discharge of its duties. Under the authority granted in a joint resolution subsequently passed, the Committee has continued its work since the adjournment of the General Assembly. We have been in session twenty-eight days, holding from one to three sessions daily. We have examined one hundred and thirty-eight (138) witnesses, to-wit: Twenty-one members of the Legislature, who visited the different convict camps in the State upon inspection tours by order of the General Assembly; the three members and the secretary of the Prison Commission; the ex-State warden, and the two State inspectors of convicts; thirty wardens, superintendents, and ex-wardens; twelve guards, ex-guards, and employees of the Prison Commission; twenty-one lessees, ex-lessees, and their employees; five camp physicians; thirty citizens; and thirteen ex-convicts. The evidence given by all of these witnesses was stenographically reported, and transcripts thereof are filed with this report.

Pursuant to the authority in a joint resolution, we also employed expert accountants to audit the books in the office of the Prison Commission, at the State farm and at the reformatory; and we file herewith the report of the accountants as a part of this report.

Said Senate joint Resolution No. 37, raising this Committee and prescribing its duties is as follows:

A RESOLUTION.

WHEREAS, The Committee from the Senate and House of Representatives appointed at the last session of the General Assembly to visit the institutions and camps at which the convicts of the State are used and worked, has made a report in which gross misconduct is charged to certain employees of the State in the control and management of the convicts and also violations of the terms of the contracts under which certain lessees are working convicts; and,

WHEREAS, Said report finds and charges that the chief warden, whose duty it was to represent the interests of the State, was, while acting for the State and drawing the salary allowed him, trafficking in the convicts and making a profit out of the sub-leasing of the same; and,

WHEREAS, Said report further finds and charges that deputy wardens, whose duty it was to represent the State in the management and control of the convicts at the camps in which said wardens were located, were, while receiving pay from the State, also receiving money from the lessees; and,

WHEREAS, The Governor in his annual message

has brought this misconduct of the employees of the State to the attention of this General Assembly; and,

WHEREAS, The report of said Committee further finds and charges that certain lessees have violated the contracts under which they are working the State's convicts; and,

WHEREAS, The law requires that the contracts under which convicts are leased shall be forfeited whenever the lessee violates the terms of the same or fails to carry out the rules and regulations of the Prison Commission, and upon such forfeiture the State is entitled to have and collect from the offending lessee damages fixed by law, which shall be recovered from the lessee and the sureties upon his bond; and,

WHEREAS, It is charged by the press of the State that the law governing the control and working of convicts in the State of Georgia is being flagrantly abused and the good name of the State, as well as those charged with the management of the convicts, demands that the truth be known; and,

WHEREAS, The Governor in his Annual Message makes known to this General Assembly that the Georgia State Reformatory as it is now conducted is but a Prison Farm, when the Act creating this institution makes provision for the reforming of its youthful inmates, and does not contemplate the managing of them as criminals, and the Committee

above referred to reports that it has not had an opportunity to examine this institution.

Therefore, be it resolved by the Senate, the House of Representatives concurring, that a committee of three from the Senate and five from the House be appointed to investigate the charges above referred to, and the working of the convicts under the present lease contracts, and ascertain if the lessees are carrying out the terms of their contracts, and to also investigate the Prison Farm and the Georgia State Reformatory, and ascertain if the law in regard to these institutions is being obeyed and carried out, and to especially investigate and report:

1. If any officer, chief warden, warden, guard or other employee of the State, whose duty it is or was to manage, control, or who is or was otherwise connected with the convicts of the State, is receiving or has received any emoluments, money, compensation, gift or gratuity from the working, trafficking in or controlling of convicts other than the lawful compensation allowed by the State, and this investigation and report shall cover any such officer, chief warden, warden, guard, or other employee whether now in the employment of the State or not.

2. If any member of the Prison Commission knew or had reason to believe that any chief warden, warden, guard or other employee or officer of the State was trafficking in the convicts of the State and deriving a profit from the leasing or sub-leasing of

the same or receiving any compensation from any lessee.

3. If any lessee is violating or has violated his contract or any rule or regulation promulgated for the working of the convicts, and if such violation would authorize the forfeiture of the contract, and the collection of the damages provided by law.

4. If there is or has been any mismanagement or misconduct on the part of any employee, guard or other officer charged with the control and conduct of the Prison Farm in Baldwin County

5. If the Georgia State Reformatory is being conducted in accordance with the provisions of the Act creating the institution.

6. If there is any mismanagement of, or cruelty to, or other violations of the law or rules and regulations of the Prison Commission by any of the lessees, or officers or employees of the State in any of the camps where the convicts are worked by the lessees.

7. If there is any mismanagement, cruelty or violation of the law in any road camp, or other camp, either misdemeanor or felony, and if any counties are illegally disposing of their misdemeanor convicts, and if misdemeanor convicts are being illegally employed or worked.

8. The Investigating Committee is hereby authorized to investigate any and all charges emanat-

ing from any source, and investigate any and all conditions whether in the Prison Commission or convict camps, and particularly to find whether or not any of the irregularities charged as existing were within the consent or knowledge of the Prison Commission.

Resolved further, That for the purposes of this investigation, the Committee shall have full power and authority to call before it all witnesses which it deems necessary, and a subpoena signed by the chairman shall be sufficient authority to force the attendance of any witness desired. The Committee shall also have power to require the production of any and all books, papers, documents, or other writings which, in the judgment of the Committee, are necessary for the purposes of the investigation. The Prison Commission is authorized and directed to have present when requested by the Committee any convict desired to be used as a witness, whether such convict be in the custody of the State, any lessee, or any county. The Committee is further authorized to do any and all things necessary for the carrying out of its duties and making the investigations required by this Resolution.

Resolved further, That the Committee shall have the power and authority to employ and appoint a stenographer to take down and report its proceedings, and shall also have the power and authority to name and appoint some fit and proper person or persons to attend its proceedings and act in serving

its subpoenas and warrants, and to otherwise assist the Committee in performing its duties.

Pursuant to the specific directions therein given, and in the order named, we report as follows:

I.

“1. If any officer, chief warden, warden, guard or other employee of the State, whose duty it is or was to manage, control, or who is or was otherwise connected with the convicts of the State, is receiving or has received any emoluments, money, compensation, gift or gratuity from the working, trafficking in or controlling of convicts, other than the lawful compensation allowed by the State, and this investigation and report shall cover any such officer, chief warden, warden, guard, or other employee whether now in the employment of the State or not.”

We find and report that Mr. J. C. Moore was appointed an employee of the Prison Commission in 1898, with the title of State Warden, and discharged the duties of such up to January 1, last.

We find, from Mr. Moore's admissions under oath, that while acting as State Warden, and while being paid by the State as such, he negotiated a number of deals between convict labor lessees for the transfer of lease contracts, receiving compensation therefor

from one or the other of the parties, and in some instances possibly from both. As stated by Mr. Moore, the fees or compensation received by him for negotiating these deals, aggregated about \$2700.00.

Whether these transactions, admitted by Mr. Moore, are all in which he had a pecuniary interest, the undersigned are unable to report. After diligent inquiry, the Committee has not had evidence of other deals of this character, but finds that for years past there have been very general rumors and definite impressions in several directions that the State Warden was using and had used his official position for the purpose of private gain. Mr. Moore contends, as to the admitted transactions, that there was nothing improper, immoral or illegal in his conduct, and further contends that the State did not lose anything thereby

We are utterly unable to conceive how a high-minded State official could close his eyes to the impropriety and reprehensibility of such conduct. Such transfers meant frequently the discontinuance of established camps, the establishment of new camps, the substitution of new lessees, the removal or transfer of deputy wardens, and like considerations of policy and interest to the State, and upon which the Commission had a right to expect the disinterested opinion and advice of its chief officer before it approved such transfers. It needs only a statement of these facts to prove that when he negotiated these transfers for a money consideration,

the State Warden placed himself in a position where he was no longer qualified to disinterestedly advise his superiors.

We further find that such conduct on the part of its chief inspecting officer was brought to the official notice of the Prison Commission and the Governor last November, by the Chairmen of the Penitentiary Committees of the Senate and House. The Governor also communicated this information to the Commission. Subsequently, Mr. Moore was permitted, by the Commission, to resign his office January 1st, following.

The Acts of 1897 and 1903, created no such office as "State Warden," but authorized the appointment by the Prison Commission of wardens, and fixed the maximum salary for each at \$100.00 per month.

We find that for several years past Mr. Moore has received a salary of \$100 per month as State Warden, and an additional salary of \$40.00 per month as inspector of misdemeanor camps. We further find that this salary was paid by Executive warrants commencing under Governor Atkinson's administration. In our opinion this additional salary of \$40.00 per month was improper, illegal, and without authority of law. The contention is that by the payment of this additional salary to Mr. Moore, the State was saved the expense of another officer as inspector of misdemeanor convicts.

While in point of fact this may be true, we hold

that the Act of 1897 clearly intended what it said, that \$100.00 per month was to be the maximum sum paid a warden; his duties to be assigned by the Commission. If the duties of State Warden were not heavy enough to demand his full time, he should have been paid less than the maximum, or he should have been assigned duties in connection with misdemeanor inspections to occupy his time, without additional compensation.

It should further be remembered that the duty of inspecting misdemeanor camps, was, by the Act of 1897, placed on the members of the Prison Commission, and only in emergencies is it authorized to delegate this duty.

Although occupying a very responsible position, and as the evidence shows, largely relied upon by the Commission, Mr. Moore never took any oath of office, never gave bond for the faithful discharge of the duties of his office. While it is true there is in the Act of 1897 no requirement for the administering of oaths of office or requirement of bonds as to wardens, yet it is also true that the office of "State Warden" was established by the Commission, and some such requirement might have been made by it.

We suggest that future legislation in reference to the administration of the State Prison Department should make provision for requiring oaths of office and official bonds from important officials of this department.

We further find from the evidence, that for a considerable period, while in the employ of the State as the chief inspecting officer of the prison department, with duties almost exclusively relating to seeing that lessees complied with the law, and the rules and regulations of the Commission and the terms of their contracts on pain of penalties and forfeitures, Mr. Moore was engaged in private business as a partner with W. B. Hamby, the largest lessee of convict labor under the prison department, and that this fact was known to the Prison Commission. We further find from the evidence that for some time past, and when he resigned, Mr. Moore was largely in debt to Dr. Hamby, and interested as joint owner with him in several landed properties. The evidence shows clearly that the members of the Prison Commission depended very largely upon and followed Mr. Moore's advice, in many matters which directly affected Dr. Hamby's interests.

Such intimate business relations between this chief inspector of the prison department and the chief lessee of convict labor under the prison department, in the opinion of the undersigned were highly improper and justly the subject of severe criticism.

The statements of the Prison Commission admit their knowledge of the existence of the business partnership between the chief inspector and the chief lessee, and we declare it to be our conviction, that the Commission, with its first knowledge of such relations, should have ordered the partnership and

further similar dealings at once discontinued, or discharged the employee who had no higher sense of official propriety than to establish and continue private business relations which were bound to bring the department and its officials under criticism and suspicion.

We further find and report that for different periods, in some instances extending over years, and coincident with the very existence of the system, practically all of the deputy wardens of the department, while in the employ of the State and paid as such, received salaries or compensation from the lessees, in one or more instances nearly twice as much as paid by the State. The evidence filed by the Committee shows the names of these wardens and the lessees paying, as also the names of the few wardens who have not received such compensation.

These facts, we find, were brought to the official notice of the Commission, at the same time and in the same manner as were the facts in reference to the State Warden, and the evidence is that in March last the Commission issued an order forbidding the continuance of this practice. The evidence before the Committee shows that no further inquiries have been made by the Commission since the issuance of the order. It is in evidence before the Committee that deputy wardens W. S. Tyson and Ed. Cox, and lessees, the Cherokee Brick Company and H. Stevens & Sons Company have not obeyed this order and discontinued the practice.

We recommend that the Commission discharge these two deputy wardens, and also advise that the penalties provided by law for such flagrant disregard of the Commission's orders be enforced against the lessees.

The undersigned were amazed at the indifference as to proper official conduct with which deputy wardens and lessees have looked upon this practice, and indeed it seems to have become a custom acquiesced in by all and sanctioned by the former State Warden, who had knowledge of it, and in at least one instance advised it.

We find also, that in several instances, as will be noted in the evidence, physicians and guards received compensation or perquisites from lessees, in one instance the Secretary of the Commission, in informing a camp physician of a reduction in his salary, advising that he look to the lessee for the amount of the reduction, which he did.

There is no excuse which can palliate such conduct in State officials. These deputy wardens occupied positions of the highest responsibility and trust. Their duty was to the State and to the State alone. They were entrusted with the care of the State's convicts, whose labor alone had been hired to the lessees. The law and the rules of the Commission required them to see that the reasonable labor sold to the lessees was delivered; they were required to see that the convicts were worked humanely, under sanitary conditions and healthful surroundings,

within fixed hours, and were fed, clothed, housed and cared for in health and in sickness, according to specific rules laid down in the law and by the Commission acting under the law. By this same law and under these rules, and under their contracts and bonds, the lessees owed the State solemn duties, for the failure to perform which heavy penalties and forfeitures were prescribed by the law and nominated in the bonds. The wardens stood as the watchmen of the State and the guardians of its convicted criminals. For these trusted State officers to become also the employees of the lessees, and to receive from them compensation frequently as large as that paid by the State and oftentimes from twenty-five to one hundred and fifty per cent. larger, was to place themselves under such obligations as would interfere with, if not render impossible, honest discharge of their duties to the State or its wards. No mere man can serve two masters with conflicting interests. This is the truth of God, as well as human experience. The evidence before us conclusively proves that deputy wardens are not exceptions, and many of the violations of rules and abuses of convicts, clearly established by the evidence, are due to the existence and universal practice of this pernicious custom. It is no extenuation to contend that the State paid these officers only meagre salaries. We believe these salaries are too small, but the State officer who has no higher conception of official duty and propriety than to supplement insufficient salaries by the acceptance of gratuities from lessees

whose interests are opposite to those of the State, and may at any time become conflicting, or involve the incurring of heavy penalties or the forfeiture of valuable contracts, and in which his conduct may be the deciding issue, puts himself where it may become impossible to earn even the meagre salary paid by the State.

It is no excuse for intelligent lessees to argue that these wardens were rendering them services for this compensation. They doubtless were, and this constitutes in itself a ground for serious criticism. These services in many cases were such as ought not to have been rendered, because in conflict with services owed the State, and where this might not be true they required the time of State officers which belonged to the State, and unquestionably distracted their minds and attention from the discharge of official duties in positions of great and real trust.

We feel bound to criticise intelligent lessees even more severely than we do underpaid wardens. These lessees are business men of ability, experience and character, and it seems to us that a moment's reflection would have impressed them with the grave impropriety of such practices.

II.

“2. If any member of the Prison Commission knew or had reason to believe that any chief warden, warden, guard or other employee or officer of the State was trafficking in the convicts of the State and deriving a profit from the leasing or subleasing of the same or receiving any compensation from any lessee.”

Each member of the Prison Commission has specifically denied under oath any knowledge, official or otherwise, of the above mentioned conditions, and we accept this as true.

We believe, however, that the Commission is subject to criticism for not having information as to the conditions and practices in its department and by its employees, which were notorious, universal, and extending through the whole period of its existence. Every lessee and warden before the Committee stated that no effort was made to conceal such practices, but that they were generally known about the camps. The State Warden knew of the custom. Every deputy warden knew that practically every other deputy warden was receiving such compensation, and the guards and employees and even some of the convicts knew of the practice. As before stated, we are convinced that many of the violations of rules by lessees and many of the abuses in the system, shown in the evidence, grew out of and continued because of the fact that the State officers whose duty it was to

prevent or report such infractions and abuses, were in the employ of the lessees, were themselves parties to these violations, and therefore incapable of fearlessly reporting themselves or the lessees.

That such general and wide-spread, virtual, if unintentional or unconscious bribery, could have continued for ten years and extended throughout the whole force of wardens without attracting the notice of the Prison Commission, reflects severely upon its watchfulness and attention to the great trust reposed in it. We find that as far back as March, 1904, Hon. J. M. Strickland, a candidate in that year for the office of Prison Commissioner, charged in the public press over his signature, in a controversy with one of the Commission, that both wardens and guards were receiving money from lessees and that he could substantiate the charge. Such a charge, so publicly made by a reputable citizen, in our opinion, should have been investigated. Had such investigation been made, the truth of the charge must have been discovered, particularly as all of the evidence shows that there was no effort on the part of the parties to conceal it. Had any member of the Prison Commission visited any of these felony camps, he must have seen that the deputy wardens were discharging the duties of superintendents, overseers, and other like work, as at some of these camps they were in absolute and exclusive charge of the entire business of the lessee, discharging important work not required of them as employees of the State, and in conflict with their duties as wardens. This at

least would have put the Commission on inquiry as to whether or not such wardens were doing this work for pay or not.

We, therefore, feel constrained to criticise the Commission for negligence in this respect.

We further find and report, that deputy warden A. J. Harvard now owns an interest in the business of the Flowers Lumber Company, who are lessees of convict labor, and is presumably deriving a profit from the leasing of the convicts worked in this business, and over whom as deputy warden he is placed.

Such an interest is incompatible with a proper discharge of his duties as warden, and we recommend that the Prison Commission demand that he at once dispose absolutely of his interest in the business, or that he be discharged as a deputy warden.

III.

“3. If any lessee is violating or has violated his contract or any rule or regulation promulgated for the working of the convicts, and if such violation would authorize the forfeiture of the contract and the collection of the damages provided by law.”

We are of the opinion that the rules, regulations, and orders of the Commission have been violated by

the following lessees, and in the following particulars, to-wit:

In night work at the mines of the Durham Coal & Coke Company, and the Lookout Mountain Coal & Coke Company; and at the camp of the Chattahoochee Brick Company, the rules providing that the State's convicts shall be worked only from sunrise to sunset, and have specified rest hours; and also in excessive tasks imposed, and the too frequent whipping for "shortage on tasks" in the Durham Coal & Coke Company and the Lookout Mountain Company's mines.

The evidence also shows that the Chattahoochee Brick Company regularly employs convicts in Sunday work, and has frequently called them out before sunrise and kept them at work after sunset, and at this camp the bedding and clothes and eating quarters have been in a filthy and unsanitary condition.

We also find that Cruger & Pace, at Albany, and the Flowers Brothers Lumber Company, at Blakely, have been working their convicts in violation of the rules before sunrise and after sunset; and that at the plants of the Cherokee Brick Company, and the Bibb Brick Company, and of S. M. Stanley, the sleeping quarters and eating quarters have been filthy and unsanitary and the food served during the visit of the Legislative committee to these camps last fall was severely condemned.

We feel satisfied from the evidence that some of

these violations by the above-mentioned companies were sufficient to work forfeitures of their contracts, and the enforcement of the penalties provided by law for violation of the rules and regulations of the Commission.

In view of the fact that deputy wardens at these camps have been receiving compensation from these lessees, and have been parties to the violations of the rules mentioned and have permitted the same to continue, we recommend that the Commission consider the matter of their discharge.

We find at many of the camps, from the monthly reports of the wardens, that the rules of the Commission prescribing the diet, particularly as to fresh meat, are not complied with, and we recommend that strict inquiry be made as to the diet, and the rules in regard thereto be enforced.

IV

“4. If there is or has been any mismanagement or misconduct on the part of any employee, guard or other officer charged with the control and conduct of the Prison Farm in Baldwin county ”

We find and report an utter lack of business methods in practice at the Prison Farm near Milledgeville, and call especial attention to the report of the expert accountants, filed herewith, con-

cerning the lack of books of records, and of any system of accounting at this institution. There are considerable State funds handled at this institution, and a permanent record of receipts and expenditures, with proper vouchers, should be kept. From the evidence we have been able to secure, it is impossible for us to form any conclusion or report whether all State funds received here have been properly accounted for, or whether all expenditures made have been legitimate. This is true from the beginning of the institution, and the large expenditures made in construction account down to date. The evidence shows that since its establishment only one superficial inspection of the memorandum books and records has been made by the secretary of the Commission. The evidence shows that there was no examination of the books, vouchers, records, or any criticism of the lack thereof, by any member of the Commission.

We suggest that a proper system of bookkeeping and accounting, and a complete re-organization at this institution, be directed at once.

The evidence shows that nepotism, a curse to any government, institution or business, is in practice at the Prison Farm. The selection of the guards at the farm is left to the superintendent, and it appears that two of his young sons are from time to time acting as guards, and two of his young nephews acting in the same capacity, all of them being under age, and one son when first appointed being

about eleven years of age. The superintendent's son-in-law acts as bookkeeper at the farm, and another kinsman of the superintendent holds a position as guard.

The evidence discloses that the superintendent at his will keeps horses and other stock on the farm at the expense of the State, the number of live stock at times being, by the superintendent's own testimony, as many as five.

The superintendent is allowed by the Commission a home on the farm for himself and family, but this Committee does not think that he should keep live stock there at the expense of the State, and they recommend that this practice by the superintendent be discontinued.

The evidence further discloses that a good many hogs and beeves are slaughtered on the farm, and the superintendent disposes of the same from time to time, but no proper record of these transactions has been kept.

The evidence further discloses that the purchases necessary for the maintenance of the farm are made by the superintendent alone and without giving a proper opportunity for bidding for the furnishing of such supplies, so as to get the lowest price for the State. Large quantities of groceries are bought, aggregating at times as much as a thousand dollars a month, without any public advertisement for competitive bids; and it appears from the evi-

dence that these purchases are made almost entirely from one firm in Milledgeville. The committee is of the opinion that the needs of the institution should be made known in the press, and opportunity be given for competitive bids to supply the demand.

It is further disclosed by the evidence that it has been the practice of the superintendents of the farm, by and with the consent of the Prison Commission, to allow the convicts on the farm to be worked off of the farm for private individuals by the day in agricultural work and in other work. The committee is of the opinion that this is not a wise policy; that the farm was established and the convicts placed thereon to work upon the farm alone, and the practice of working them elsewhere should be discontinued. No proper record has been kept of the funds received from this source.

The evidence further discloses that there is no effort to keep the whites and blacks separated while at work at the farm or in their eating quarters. The negroes and the whites eat in the same mess hall, though at separate tables. This, in the opinion of the committee, is improper, and in violation of the law. The sleeping quarters, however, of the whites and blacks are separate.

There has been evidence of cruelty in the administration of punishments at the farm. One white man, in receiving a whipping, testified that he was maimed in one of the delicate organs of his body.

We have had no evidence contradicting this fact, the rebuttal evidence tending to show that the convict deserved punishment.

The evidence also shows that upon one occasion a negro convict who claimed to be sick, was forced to the field to work, over his protest, by warden Slater. When he arrived at the place to work, he was in no condition to work, as testified by the working boss, was laid in the shade, and in a few hours was a corpse.

Such inhuman neglect in ascertaining the physical condition of convicts before forcing them to hard labor, is cruelty, and should be severely censured.

V

“5. If the Georgia State Reformatory is being conducted in accordance with the provisions of the Act creating the institution.”

The committee finds that the Georgia State Reformatory is not being conducted in accordance with the provisions of the Act. This Act specifically provided that the whites and blacks should be kept separate. This provision is totally disregarded. There is but one residence building upon the grounds, and the negroes and the whites both sleep and eat in this building, though in different rooms, and they also work together.

The Act further provides that the inmates shall be instructed in the elementary branches of an education. This provision is also disregarded. No teachers whatever have been furnished for instructing these youthful criminals.

The law provides further that they shall be given certain manual training. This has not been done. Indeed, as has been heretofore reported by the Governor, the institution as it is now run is but a juvenile prison farm, and practically no feature of a reformatory is in practice, though the Act creating the institution provides for an up-to-date reformatory

The Prison Commission give as their reasons for not complying with the law that they have not been furnished a sufficient amount of money for the needs of the institution, and we believe that sufficient funds have not been appropriated. They give as their reason for not having constructed separate buildings for the whites and blacks that they did not contemplate that any negroes would be sent to the institution.

The committee is of the opinion that the reformatory is a necessary institution, and that it should be properly cared for by the State, and sufficient funds appropriated for that purpose, and that buildings should be erected so as to keep the whites and blacks separated. The inmates should also be given the manual training provided by the Act, and

teachers should be furnished in accordance with the requirements of the law.

From the evidence submitted, the Committee is of the opinion that the superintendent and the matron, his wife, have done the best they could with the funds and the encouragement they have had. There is no reason why with proper care and a compliance with the law this institution should not be made to do great good in the reformation of youthful criminals, and to otherwise carry out the purpose and intention of the Legislature when it was created. The fact that it is located in the same county wherein the prison farm is located, is no reason why it can not be made a complete reformatory in fact as well as in name, and its present location should not in any way detract from its usefulness.

The committee recommends that a sufficient appropriation be made at the present session of the General Assembly to construct the necessary buildings, and to purchase the requisite equipment for this institution, and to otherwise supply its needs.

The committee further recommends that the negroes now at this institution be removed to some other place at once, and that hereafter the institution be operated exclusively for whites.

We also recommend that any white inmates now in said institution, who were sent there when over sixteen years of age, be removed, and that the

Prison Commission be given authority to decline to receive any person who it is satisfied is over sixteen years of age at the time of his or her commitment.

VI.

“6. If there is any mismanagement of, or cruelty to, or other violation of the law or the rules and regulations of the Prison Commission, by any of the lessees, or officers or employees of the State in any of the camps where the convicts are worked by the lessees.”

Charges of cruel and excessive punishment of convicts in quite a number of cases have been brought to our attention. We have investigated several of these cases. Many others have been mentioned to different members of the committee, but the committee has not had time to investigate every case, nor have we considered it necessary to do so. We have deemed it the duty of the committee to investigate such charges only as would indicate whether these cases were merely sporadic, or as liable to occur under the system, or as chargeable to the indifference of the State's officials or the lessees, to the common dictates of humanity. We believe from the evidence that charges of cruelty are well founded. We are unwilling to dismiss as unworthy of belief some of the evidence taken in regard thereto because given by ex-convicts, once convicted murder-

ers, perjurers, or discharged employees and disgruntled contractors. In some cases we have given little weight to all or parts of such testimony, but it should be remembered that much of this evidence is from white ex-convicts, who have been recommended for pardons by the Prison Commission, after serving very small parts of their sentences; that it has related in a majority of instances to cruelties to others, and in exaggerating which they would have no interest; that in many instances their testimony has been corroborated certainly in important particulars, and frequently in whole, and in every instance as to the fact of punishment. It should be remembered that the one case, to-wit, that of the negro convict who was sweated to death in Flower's camp at Jakin, in which the chairman of the Commission and the State Warden acted as prosecutors, was brought to their attention a year after its occurrence through the public press because of revelations made by an ex-convict. The truth is, we deem it almost impossible to secure evidence of cruelties from convicts now in prison or from officers and guards who inflict or permit such while in the employ of the State and the lessees; it is hardly natural to expect evidence from these sources. The State now has two inspectors, one of them has sworn that he has never been, nor ever expects to go into a mine in which the State's convicts are worked, to see what they are doing therein, what is required of them, or what tasks are required of them. The deputy wardens by their own testimony and admis-

sions, rarely inspect these mines, and yet they punish, frequently and severely, on the report of an employee of the lessee that some task has not been accomplished, without actual knowledge of the severity of the task, or of the conditions under which imposed. Under these conditions, about the only source of information as to what happens in these mines or as to the conditions under which the convicts are worked, must come from ex-convicts, or ex-guards, or ex-employees.

A white boy, Abe Winn, afflicted with tuberculosis, accidentally or purposely, it is immaterial which, pours hot coffee on a deputy warden's hog. The deputy warden and owner of the hog, decides that the scalding was purposely done. He proceeds to whip the boy until he is exhausted, and is compelled to go into the hospital, from which only eight weeks later he is brought out a corpse, never having left his bed after admission. The camp physician first reported his case as pneumonia, which he testified afterwards developed into consumption, and that this was the cause of his death. This is doubtless technically true. The boy's own brother, knowing his desperate condition, accepts this as true. These can all be real facts, consumption, let it be admitted, was the cause of the death. But the shocking, horrible truth is that an angry and cruel State officer, selfishly interested in punishing, whipped to the very door of the hospital, from which he was later brought a corpse, a boy within eight weeks of a consumptive's death. The whipping under such

conditions was the cruel fact, whether it was to the death or only to the hospital door.

The negro convict at Jakin, referred to above, is disobedient, unruly, or attempts to escape, it matters not. He doubtless deserves punishment, severe punishment. Let all this be granted; an inhuman State officer decides that he will sweat him, and gives orders accordingly. The convict is sweated, wrapped head and body and feet in blankets and enclosed in a box. He dies. A camp physician certifies that his death was caused by congestion of the lungs. Doubtless it was. The report is accepted without question or investigation. One year later a convict who has finished his term, tells the truth, and though inspectors had visited that camp time and again, no whisper of the truth seems to have reached them. Upon investigation it was found that an ex-convict can tell the truth, though while he is a convict he dare not open his mouth. The cruelty was in the form of punishment administered.

Another negro, Peter Harris by name, claiming to be sick, is whipped and put to work, till he falls exhausted, and two hours later is dead. Some of the witnesses testify that he was whipped to death, others, including the camp physician, that his death was due to congestion from the excessive drinking of cold water while overheated. Whether the whipping caused death or not, does not mitigate the fact that a sick convict, to whom the camp physician swears he had that morning given a purgative, is

later whipped, put to work at admittedly the severest and hottest task, and in a few hours is dead. This constitutes cruelty.

A white man is confined at the Durham Coal Mines under a twenty-year sentence. He refuses to work. The warden decides to administer a whipping. He has the reputation of being a very desperate character. He doubtless needed severe punishment and should have received it. The warden calls him out and orders him to strip to receive a whipping. He refuses and resists all appeals and threats. Finally he draws a razor and starts toward the warden, though shackled. The warden insists he made three efforts to reach him (the warden) and that he finally told him he would shoot if he did not submit. The warden admits he could have kept out of his reach by retreating, and virtually admits his life was not in danger, but that he decided that if he did not shoot him, his authority would be lost, and guards and convicts would no longer respect it, and as he declares, he shot to kill him, aiming directly between his eyes. He hit him in the side of the neck and killed him almost instantly. Ex-guard Tatum swears that when the warden shot, the convict was standing still, had covered his eyes with his hands, and told the warden to shoot. The evidence shows that a coroner's jury investigated this homicide, and two grand juries returned "No Bill."

The committee condemns this homicide. It does

not believe a warden has a right to kill a convict merely to assert his authority or for any salutary effect such a show of authority may have on guards or convicts. He could have only been justified when necessary to protect his own life or that of his guards. He could not have been in serious danger surrounded as he was at the time of the shooting by twenty-five guards, each with loaded shot guns. Any one of them, had the man started to cross the ten or fifteen feet intervening, could have stopped him with a shot. The warden might have been excusable had he shot merely to cripple. When he deliberately killed the man under the circumstances related by him, he committed an unlawful act and should have been punished therefor.

The monthly whipping reports to the Commission, examined by the committee, show an unusually large number of whippings at the Durham Coal Mines, the Lookout Mountain Mines, and the Chatahoochee Brick Company. A large percentage of the whippings at these two mining camps are for "shortage on tasks" and for "slate in coal." The hospital reports from the Durham Mines also show what seems to be a large percentage of cases in the hospital resulting from accidents in the mines, from falling slate and similar causes. The evidence before us shows that in these two mines the convicts are required to mine certain quantities of coal in a day, free from some unproven percentage of slate, and that when they fail to secure these tasks or have too much slate in the coal, on complaint of the min-

ing bosses they are whipped by the State's officers. The evidence also shows that the reasonableness of these tasks depends largely on the size of the vein, on the conditions under which the mining is carried on, on the expertness of the particular operator, on the amount of "propping" to be done, and the fact as to whether properly prepared and sized propping material is supplied, on the "greenness" of the operator, etc.

The evidence further shows that the mining boss or foreman, an employee of the lessee, fixes the task, and decides if it has been obtained, or if there is too much slate in it.

The evidence shows that neither inspector Deadwyler, nor inspector Burke have ever been into either of these mines. Inspector Deadwyler is seventy-three years old, too old in our opinion for the arduous duties of an inspector—he declares that he never expects to go into a mine to see what is required of these convicts, or under what conditions it is required, and frankly admits that he does not know what is a reasonable task. Inspector Burke testified that he started into the Durham mines once and went about a hundred yards, when the water and mud were so bad it would ruin the only suit of clothes he had with him, and he abandoned the inspection. He further testified that he could not enter the Lookout mine if he wanted to.

The evidence is that occasionally a deputy warden goes into the mine, but that others have never been.

Deputy warden Ivey was formerly in charge of about fifty convicts at the Palmer Brick Yard. His evidence, and his reports show, that he would go for weeks or months without a whipping, or only one or two. Some time since he and his squad were moved to the Lookout mine, and at once he began to frequently administer to this same squad twenty-five and upwards whippings a month, a large percentage of which were for "idleness" or "failure to get tasks."

The undersigned are satisfied from the evidence that the whippings at these two mines are excessive and too frequent. These official reports, we are satisfied from the evidence, are not always accurate, but ought to be investigated. Men, even convicts, are not going to "idle" or fail to get their tasks week after week, when they know a whipping is certain, if the tasks are fair, reasonable, and within their ability

We have not found in our investigations, a single State official who has fairly investigated this task question, or the conditions under which they are required, and the possibilities of the cruel treatment of the convicts in regard thereto are limitless.

The evidence as to the treatment of convicts at the Chattahoochee Brick Company, the character of the food furnished at times, the filthiness of their sleeping and eating quarters and the excessive and exhaustive work exacted of them, and the punishments inflicted, have convinced us that many of the

humane rules of the Commission have been violated at this camp. The evidence shows that the men are worked overtime and excessively hard, and many of them regularly on Sunday.

It is claimed that in a plant of this kind a certain amount of Sunday work is necessary, and that only volunteers are accepted for this work. We utterly reject the belief that there can be much "volunteering" among convicts. They can hardly be called "free agents," and there can be such an anomaly as an "unwilling volunteer" in a convict camp. We do not deny that there may be a certain amount of Sunday work necessary about such a camp, but neither the law nor the rules of the Prison Commission recognize the putting of convicts regularly at this work. There may be emergencies, or "oxen in the ditch" that would justify such employment occasionally, but we believe that regular work, such as keeping fire under a brick kiln from year's end to year's end, Sundays and nights, ought not to be done by convicts. It would be better, if such work is necessary, that it be done by free laborers.

The evidence before us convinces us that deputy warden Casey has habits which unfit him to serve as deputy warden, charged with the physical and moral welfare of convicts, and we join in the recommendation of the Penitentiary Committees of the Senate and House that he be discharged.

From the evidence before us as to the cursing of

a convict in the presence of the Legislative Committee which inspected the Lookout Mountain Mines camp last November, for trying to make a complaint to the Committee, we recommend that Warden Maxwell be discharged. In cursing a convict for any cause he violated a very proper rule of the Commission, and showed himself unfit for his position.

We further find that no member of the Prison Commission, or its Secretary, had knowledge of these acts of cruelty. When they did learn of such, we believe they had the matter investigated. Their existence depended to a large degree upon the deputy wardens in charge of the convicts. We believe that a more thorough system of inspection would have decreased the number of cruelties, and have otherwise contributed to the more humane treatment of the convicts. We recommend that some member of the Prison Commission personally visit each convict camp in the State, at least twice a year, and that the number of inspectors be increased so that these inspections may be more frequent and more thorough.

VII.

“7 If there is any mismanagement, cruelty, or violation of the law in any road camp or other camp, either misdemeanor or felony, and if any counties are illegally disposing of their misdemeanor con-

victs, and if misdemeanor convicts are being illegally employed or worked.”

The Committee has not had time to investigate thoroughly as to any of the county road camps, but has heard evidence in regard to several, and call attention to criticisms upon several, notably the Floyd, Monroe, Coweta, Jones, Bibb, Sumter and Fulton road camps.

From the evidence before us we are satisfied that cruelties in the form of corporal punishment is rare in the county road camps. The criticism to which these camps seem to be most subject is the lack of sanitary quarters and clean surroundings, and suitable provisions for treatment of the sick and diseased.

We are convinced that the work required is not excessive, and possibly in some counties not hard enough, particularly when they go into winter quarters, and when regular road work in some sections of the State is almost impossible during the winter months.

In the Sumter county camp and the Royster Guano Company's camp we condemn the use of “picks” riveted to the ankles of convicts to prevent escapes. Such appliances, kept on convicts day and night, are cruel and inhuman, and should be forbidden.

We recommend that the Prison Commission at

once bring to the attention of the proper county authorities the criticism made upon these road camps by the members of the visiting Legislative Committees, as shown in the evidence herewith, and direct its inspectors to see that conditions provoking these criticisms be improved.

We especially call attention to those portions of the evidence filed with this report, concerning the existence of so-called "wildcat" or illegal misdemeanor camps.

As a rule these camps, the conditions existing therein, and the cruel and inhuman treatment of unfortunate convicts thus illegally sold into worse than slavery, are a disgrace to a civilized people.

A deplorable feature in regard to these, next to their inhumanity, is the fact that sworn officers of the courts and county governments, are parties thereto, and profit from the blood money wrung from the cruel and illegal labor and sweat of criminals. Sworn to observe the law, and to punish violators of law, these officials themselves disregard the spirit of the law, if they do not violate its letter, and in some instances have shown an amazing degree of ingenuity in trying to clothe their illegal acts in the guise of formal compliance with the letter of the law, all the more reprehensible because it shows that they knew they were violating the spirit.

Some of the cruelties perpetrated in certain of these illegal camps, as shown by the evidence, are

barbaric, and we recommend that the Governor be requested to send transcripts of this evidence to the judges of the counties where these cruelties are perpetrated, that the grand juries may be specially charged with the investigation thereof, as the Prison Commission has no jurisdiction over them.

We strongly recommend that at this session of the General Assembly an Act be passed making it a felony for any State, or county official to hire or lease any misdemeanor convict to any corporation or individual, or through any form of pretended establishment of a county camp attempt to legalize any such hiring to individuals or corporations. No county should be allowed to establish any chaingang except for public roads or public works purposes, directly under the direction of bona fide county officials, and under the supervision, rules and regulations of the Prison Commission.

We especially invite the attention of the Governor to an inquiry as to whether any solicitor-general, county or city court solicitor is or has been a party to or adviser of the establishment of any of these illegal camps, or has consented to, advised or participated in such illegal hiring of misdemeanor convicts to such camps, or placing misdemeanor convicts therein, and take such steps as seem advisable, and if possible to end such practices on the part of the State's law officers.

VIII.

“8. The investigating Committee is hereby authorized to investigate any and all charges emanating from any source, and investigate any and all conditions whether in the Prison Commission or convict camps, and particularly to find whether or not any of the irregularities charged as existing were within the consent or knowledge of the Prison Commission.”

The undersigned regret to report that in their opinion the Prison Commission has been guilty of grave neglect in the discharge of their responsible duties, and are largely and directly responsible for many of the abuses to which our attention has been drawn.

We find that they have often left important duties to subordinate officials, and have not given that attention to the details of their officers which was essential to a successful administration thereof.

We find the whole department without any proper system of bookkeeping, and at the Prison Farm without any intelligent bookkeeping and accounting.

The Committee is pleased to report that the expert accountants employed by the Committee to audit the books of the Prison Commission's office, report that while the system of bookkeeping in use is crude, and not up to the requirements which ought

to prevail, yet that they show, and proper vouchers prove, that every dollar of public moneys passing through the Commission's office since October 26th, 1900, is properly accounted for.

We have been forced to the conclusion that the Prison Commission has left entirely too much of the responsible administration of the department to the Secretary, and while in their employ, to the former State Warden, Mr. J. C. Moore.

We call attention to the fact as shown by the evidence, that Capt. Yancey is receiving three salaries, to-wit: \$100.00 per month as Secretary, \$30.00 per month as bookkeeper and \$20.00 per month as bookkeeper for the Reformatory. The law does not authorize the employment of a Secretary, but authorizes the employment of a clerk in the Prison Commission's office, whose compensation shall not exceed \$100.00 per month. A bookkeeper is doubtless necessary, but we doubt the policy of designating one employee to fill three offices, and draw more compensation than the law specifically names.

Attention is also called to the fact that the Commission in paying some guards more than \$25.00 per month is openly violating the law. While we think the maximum salary for a guard fixed by law is too small, we do not hesitate to say that the Commission is wrong in paying salaries in excess of those fixed by law.

Under the contracts entered into with the various

lessees, the Commission reserved the right to prorate the normal increase in the convicts over the original allotments, among the different lessees. This has not been done. Dr. Hamby, as successor to Hamby & Toomer, has now 175 of the total excess of 250 over the original allotments, although he is entitled to only about 100, under the Commission's view of the law and contracts.

As there are several lessees who have not their full quota, and whose prices are higher than Dr. Hamby's, if the Commission under the law and the contracts, has the right to prorate the excess, they should have placed the proper pro rata on these higher priced contracts and not have given Dr. Hamby more than his pro rata with loss to the State. The evidence before us shows that Dr. Hamby does not work convicts at all, but hires them solely for speculative purposes, and that at the time of making his last sub-lease contract of fifty convicts, at an annual hire of \$630.00, he did not have a single convict to hire, but sublet this number after talking with the Secretary and having his promise that he should have fifteen to twenty from the Prison Farm, and the remainder as the State secured them from new convictions. For these men Hamby pays the State \$221.25 per annum. We find on June 1, 1908, that the Durham Coal Company were short of its full contract quota eleven men, and that its pro rata of the excess men was thirty-six, making in all about forty-seven men that the Commission, according to its

construction of the law and the contracts, at an average price of \$240.00 each, could have forced this lessee to take, and yet they were given to Hamby at a much lower price, and in excess of the number he had any right to demand or expect, to be sublet by him for \$630.00 per annum. Secretary Yancey, who made the disposition of these men, frankly stated to the Committee that he never thought of the dollars the State might lose, and the Chairman of the Commission stated that until developed by the evidence before the Committee, he had no idea of these excessive assignments to Dr. Hamby for speculative purposes.

We are further convinced that the Commission was guilty of grave neglect in the matter of the appointment of deputy wardens. It is no exaggeration to say that the failure of our lease system, and the abuses which have grown up under it, must be largely charged to the fact that the wardens of the State have been, with a few exceptions, in the employ of the lessees.

But the final responsibility must rest upon the Commission for their appointment. The evidence shows that the selection and appointment of deputy wardens has been very largely left to the Secretary, and that these appointments have been unduly influenced by State Warden Moore and the lessees, notably Dr. Hamby.

The Secretary testified willingly to the fact that

he had the greatest confidence in Hamby's recommendation of men for these positions, even though he must have realized that Hamby's interest could not always be unselfish.

We further find that the Commission has very properly required monthly reports from the wardens, and weekly reports from the camp physicians, and had any attention been paid to such as were sent in, or any effort made to have forced full and accurate reports, many instances of neglect, abuses, and cruelties might have been detected and ended. The Commission seems to have paid little if any attention to these reports. The Secretary says he paid virtually none, preferring to rely upon the verbal reports of the inspectors. We have already commented upon the lack of thoroughness in these inspections. As heretofore stated, one of the two inspectors now employed is more than seventy-three years of age, and he and his colleague do not inspect the mines, in which a large percentage of the State's felony convicts are employed. We very much fear that these inspections are perfunctory and superficial, however honest the inspectors. The former State Warden or Inspector, Mr. Moore, we think was disqualified to do effective work and make impartial reports, considering the fact that the wardens were frequently virtually his appointees, that he was frequently acting as broker in negotiating transfers of convicts, discontinuing camps thereby at some point and establishing them at others, and the partner and debtor of the lessee who controls

over a third of the seventeen hundred and fifty felony convicts subject to his inspection.

The absolute and exclusive management and administration of the prison system is vested by law in the Prison Commission, and as we see it there is no escape by it for final responsibility for the conditions as they exist.

Seemingly unmindful of the grave responsibilities resting alone upon it, it has delegated important duties to indifferent employees and neglected that personal attention which the State had a right to demand of them.

We do not believe that there has been on the part of any member of the Commission, or its Secretary, any financial profit, or any willful or intentional wrongdoing, but we do believe from the evidence that their sins of neglect have been great and deserving of censure.

Respectfully submitted,

T. S. FELDER,

J. E. HAYS,

P. M. HAWES,

Committee on the part of the Senate.

C. M. CANDLER,

J. W. WISE,

A. J. McMILLAN,

A. P. ADAMS,

T. E. RYALS.

Committee on the part of the House.

August 20, 1908.

Hon. Thos. S. Felder, Chairman,
Convict Lease Investigating Committee,
State Capitol,
City.

Dear Sir:—

EXAMINATION OF BOOKS AND RECORDS
PRISON COMMISSION, STATE FARM
AND REFORMATORY 1899 TO
MAY 31, and JULY 19, 1908.

Under your instructions we have made an examination of certain books and records of the Prison Commission and its subsidiaries, the State Farm and Reformatory. Your first instructions were to make a thorough examination from 1897 to date, but later on these were amended as regards the State Farm to cover only the administration of Captain Coombs, the present Superintendent. This is from October, 1903 to June 30, 1908, although for lack of continuous record our several statements of reported Income and Disbursement bring it up only to May 31, 1908.

This report consists of—

Fourteen (14) pages of written matter and

Exhibit A—Receipts and Disbursements Prison
Commission 1899-1900 (Oct.)

Exhibit B—Receipts and Disbursements Prison
Commission Oct. 26, 1900-May 31,
1908.

Exhibit C—Reported Income and Disbursements
State Farm, October 1903-May
31, 1908, all attached hereto.

PRISON COMMISSION.

We started the work in the office of the Prison Commission July 29th, on the Commissioner's books and records. These consisted of a ledger and journal (used as a cash book, as all cheques were journalized), bank pass books, cancelled bank cheques and their respective stubs on the Lowry National Bank and Fourth National Bank of Atlanta, the Milledgeville Banking Company, the Exchange Bank and the Merchants and Farmers Bank of Milledgeville. Also pay-roll vouchers, purchase invoices and other vouchers.

We noticed that the first date in the Journal and Ledger handed to us was October 26th, 1900. We then asked for the books of record from 1897,—when the Commission was created,—to October, 1900. Judge Turner informed us that no books were kept up to October, 1900, but that all the data would be found in a file of vouchers, etc., purporting to cover this period. Later on,—August 10th,—we were handed a file of vouchers apparently for the period prior to 1900 together with a book stated to be written up from these vouchers. This book was new, the writing was fresh and we found it was made up after we had commenced the investigation.

Our examination of this file showed that the vouchers covered the period of January 6, 1899 to October 6, 1900. We could find no other vouchers for a prior period, if any are extant. On Exhibit A. hereto attached, is a Statement of Receipts and Disbursements for this period. It shows a net balance (Receipts over Disbursements) of \$5,155.78 as at October 6, 1900. Exhibit B. embracing the period covered by the regular ledger and journal, starts off with a net balance as at October 26, 1900, of \$5,177.12, but in the time allowed us to make this examination we are unable to account for the difference of \$21.34. Exhibit B. contains a Statement of Receipts and Disbursements from October 26, 1900 to May 31, 1908, this last date being the end of their fiscal year. It shows a balance in bank of Receipts over Disbursements of \$1,615.87, which is correct from the evidence of the books and records submitted for our

examination, exception hereinafter noted. (Receipts and Disbursements checked from June 1st to July 19, 1908, and found correct.)

PROGRAMME OF EXAMINATION OF COMMISSIONER'S BOOKS.

We checked the ledger entries from the journal from October 26th, 1900, to July 19, 1908, and footed the ledger for this period.

Checked and verified the pay-rolls (deputy wardens, physicians, guards, etc.), from 1899 to June, 1908.

Examined and verified the five bank accounts (previously described) used by the Commission from October, 1900, to July, 1908.

Checked purchase invoices, receipt vouchers, etc., from 1899 to July, 1908.

Checked cancelled cheques against the journal for the five bank accounts, (previously named) covering the same period.

Examined the Comptroller-General's records with reference to the State appropriation and checked State Farm records (what we had) for amounts turned over to the Commissioners from this source.

COMMENT ON COMMISSIONERS BOOKS,
RECORDS, METHODS, ETC.

Attention has already been called to the writing up nearly ten years later of transactions occurring in 1899 and 1900. Inasmuch as the funds received and disbursed were public funds, we consider it a serious omission that the proper record book was not maintained. It would have been a grave one for a commercial house, but being a matter of State government record, it becomes even more serious.

From October 26th, 1900, to July, 1903, the accounting system in use while simple was fairly well maintained. It is insufficient in detail, is not modern and contains no controlling account, system of check and counter-check—on the Farm and Reformatory records.

The receipts, cancelled cheques, payrolls and purchase invoices were submitted as called for. They were correct with exception one large error noted below and several minor ones, matters of a few cents, too trivial to detail. (This remark applies only to period October 26, 1900, to July, 1903, and solely to the Commissioner's books,—not the State Farm or Reformatory)

The error referred to above was an error in a bill of J. W. English, Jr., board of guards, July, September and August, 1900, footed as \$649.24, whilst

the correct amount is \$469.24, a difference of \$180.00, which was overpaid to Mr. English. Upon calling Captain Yancey's attention to it, he collected the \$180.00, also \$98.70 interest, or \$278.70, which was deposited in the Lowry National Bank to the credit of J. S. Turner, Chairman, on August 4, 1908.

In checking the salary list, we noticed that Captain Goodloe Yancey, clerk of the Commission, started in at a salary of \$100.00, paid by warrant, shortly after which the Commission paid him \$30.00 a month for keeping the books of the Commission and since the Reformatory was started he has been paid an additional \$20.00 making a total of \$150.00 per month.

Also in this period, the State Warden, Mr. J. C. Moore, has been collecting \$140.00 a month salary, which was paid by warrant.

In examining the pay-rolls we noticed that many signatures for wages of guards, etc., are in the handwriting of others than the one who earned the wage, and as we went on in the investigation we found it quite a general practice. The following are prominent illustrations:

Fargo pay-roll, October, 1900, of 77 names W. B. Hamby signs for 22; W. H. Mobley signs for 5, can not state positively about balance of the signatures.

Chattahoochee pay-roll, October, 1900, of 24 names,

all except 2 signed x in one handwriting and not witnessed.

Bartow pay-roll, October, 1900, of 29 names all signed in same handwriting.

Coal Creek pay-roll, October, 1900, J. R. Brock receipts for several men's pay

Adrian pay-roll, November, 1900, all but 2 apparently signed in one handwriting.

Donaldsonville pay-roll, December, 1900, all signed in same handwriting.

Egypt pay-roll, March, 1900, all signed in same handwriting.

Adrian pay-roll, January, 1900, and January, 1902, all signed, apparently, by one man.

Sharp (Colquitt) pay-roll, January, 1900, all signed, apparently, by one man.

Albany (Cruger and Pace) pay-roll, January, 1900, -01, -02, -05, -06 and -07, signed, apparently, in one handwriting.

Bartow pay-roll, January, 1900, all signed, apparently, by one man.

Fargo pay-roll, 1900, W. B. Hamby, physician and General Superintendent, signs for 19 others. Last item on pay-roll reads "Camp Expenses," as per statement attached, \$61.53, signed for by W. B.

Hamby. A statement of this amount is attached to pay-roll, but no receipts showing who paid to.

In addition to these signatures accepted indiscriminately, we noticed very many instances wherein guards are paid more than \$25 a month, which we understand to be the limit of their wage prescribed under the Prison Commission Act. The following is a list of them:

Durham.

J. M. Webb, \$27.50 per mo., Jan. '02-April, '03.
Kirby Jones, \$27.50 per mo., January, 1902, only.
C. L. Tatum, \$27.50 per mo., March '02-Sep. '03.
C. L. Tatum \$27.50 per mo., Nov., '03-April, '05.
W L. Gordon \$27.50 per mo., April to June, 1903.
W L. Gordon \$27.50 per mo., Aug., '03-Aug., '04.
J W Brannon \$27.50 per mo., Apr., '03-Jan., '04.
F L. Ashburn \$27.50 per mo., June-July, 1903.
A. M. Wingfield \$27.50 per mo., Aug., '03-May, '05.
Sam Goode \$27.50 per mo., January to May, 1905.
Sam Goode \$27.50 per mo., Sept., 1904-Nov., 1904.
Ed Barnes \$27.50 per mo., Nov., to December, 1904.

Milltown.

J. W Brannon \$27.50 per mo., Feb.-Dec., '04.
J. W Brannon \$30.00 per mo., Jan.-April, 1905.

Lookout.

J H. Williams \$27.50 per mo., May, '04-May, 1905.

Alexanderville.

W. R. Hallman \$27.50 per mo., July, 1904, only.

W R. Hallman \$27.50 per mo., Nov., '04-Jan., '05.

W Wilkes, \$27.50 per mo., August, '04-Dec., '04.

Royston Guano Co.

J. M. Garrison \$27.50 per mo., June-August, 1906.

Clide Avant \$27.50 per mo., August, 1906, only

Rising Fawn.

W H. Autry \$27.50 per mo., January, 1905, only

R. H. Smith \$27.50 per mo., January, 1905, only.

Our general comment on the records, etc., in the office of the Prison Commission is that the business was conducted in a very lax manner, vouchers, papers, etc., not properly checked nor sufficiently scrutinized.

STATE FARM.

The work on the State farm books was started about the same time as the examination of the Commissioner's books: but as we were not able to get

the records until two or three days later, we were somewhat delayed in commencing this work.

On July 29th we were shown a mass of books and papers which upon sorting out and separating we listed in number as twenty-one (21). On August 1st, another lot of books and records were sent in which upon listing we numbered as forty (40), thus making sixty-one (61) in all. After separating this consolidated lot and putting aside for our examination only those which pertained to the financial record and which was finally further reduced to those covering the Coomb's administration we recorded the following books and records:

2 Day Books covering March '03 to July '08.

1 Ledger from January, 1903-July, 1903.

1 Pay-roll Book, January, 1903-July, 1903.

and a few scattered duplicate deposit slips.

Also a lot of cancelled cheques on the Milledgeville Banking Company ranging from February, 1906-May, 1908. Many cheques properly in this period were missing, none of them were numbered and several not dated. This data was afterwards supplemented by our sending a representative to Milledgeville to get the bank's record of cheques drawn but this was only valuable as showing cheques (and amount of same) missing.

PROGRAM OF EXAMINATION STATE FARM RECORDS.

With this meager data we endeavored to match the cheques we had with the invoices they paid and compare them with their respective entries on day book and ledger. We examined the pay-roll records submitted, endeavored to trace the disposition of funds received from sale of products and hire of convicts as recorded on their books and constructed a Statement of Income and Disbursements.

This statement was made from the farm records as to Income and partly from farm records and Commission records as to Disbursements. It is correct according to the records from which it was drawn (See Exhibit C). In the time allowed us for this work, we were not able to make any further examination. We would liked to have had more time, particularly to investigate the funds received from hire of convicts.

COMMENT ON LACK OF RECORDS AT STATE FARM.

The financial affairs of the State Farm were run as though it belonged to an individual and a very careless individual. There is nothing which we could check against except what amounts practically to verbal statements. There was absolutely no sys-

tem about anything. It was all left to one man, Captain Coombs, who states that he knows nothing about the records. Further comment is useless. This being State property, a complete record should have been maintained, depositing all funds in the bank and all disbursements being made therefrom. Ready cash needs should be provided for by a petty cash (Imprest) system. A record should have been provided by the Commission showing number of convicts hired, to whom and price. Also number of convicts on hand, number working and number idle.

REFORMATORY

When we first entered the office of the Prison Commission, some twenty days ago, we asked for all the records of the Prison Commission, the State Farm and the Reformatory. Although we have made repeated requests for records, vouchers, etc., of the Reformatory, kept by the Superintendent of the Reformatory, we have not succeeded in getting them, notwithstanding that assurances were made to us that they would be produced. We have not received any records, vouchers or any papers kept by the Superintendent of the Reformatory showing his Receipts and Disbursements and can not say whether there are any such in existence or not. The information upon this subject received at the office of the Prison Commission in Atlanta was unsatisfactory, the Commission seeming not to know

whether any financial records were kept at the Reformatory or not. Though the Superintendent testified before your Committee that he did keep a record of his expenditures, as stated above, we have been unable to obtain the same.

Regarding the records, etc., of the Reformatory as kept in the office of the Prison Commission in Atlanta, they were pointed out, but in view of the shortness of the time allowed to us, we were not able to examine them.

As many men were employed by us as could handle the books, etc., without getting in each other's way, but as we had only twenty working days we found the time inadequate to do more than is here reported.

Yours very truly,

THE JOEL HUNTER COMPANY, AUDITORS,

JOEL HUNTER, President.

Certified Copy

THE JOEL HUNTER COMPANY,

Auditors.

Joel Hunter, President.

Audit No. 524.

RECEIPTS AND DISBURSEMENTS PRISON

COMMISSION, JANUARY 6, 1899-

OCTOBER 6, 1900.

RECEIPTS.

Appropriation	.\$228,014.76	
Farm Products	10,518.45	
Sundries	38.33	
	<hr/>	
Total ..		\$238,571.54

DISBURSEMENTS.

Pay-rolls	.\$ 47,540.66
Office Expenses	582.20
Farm Equipment and Live Stock	11,808.18
Farm Expenses	10,616.65
Building and Improvements	17,847 76
Transportation	823.14
Rewards	966.67
Camp Expenses	203.67
Freight	2,055.89
Incidentals	29.58
Interest	385.39

Guns and Ammunition	2,160.16	
	<hr/>	
Disbursements, Jan. 6, 1899-		
Oct. 1, 1899.	\$95,019.95	
Disbursements, Oct. 13, 1899	•	
Oct. 6, 1900		
not able to		
classify	138,395.81	
	<hr/>	
		\$233,415.76
		<hr/>
Receipts over Disbursements		\$5,155.78
		<hr/>
Exhibit A.		

PRISON COMMISSION—RECEIPTS AND DISBURSEMENTS.

OCTOBER 26, 1900—MAY 31, 1908.

RECEIPTS.

	10-26-00 9-30-01	10-1-01 9-30-02	10-1-02 5-31-03	6-1-03 5-31-04	6-1-04 5-31-05	6-1-05 5-31-06	6-1-06 5-31-07	6-1-07 5-31-08	Total.
Balance on hand									
10-26-00-----	\$ 5,177.12								\$ 5,177.12
Appropriation -----	111,160.00	111,120.00	71,530.00	94,010.00	126,110.00	135,000.00	135,000.00	141,110.00	925,040.00
Reformatory -----						10,000.00	13,000.00	5,000.00	28,000.00
Farm Products -----	13,005.05	19,331.92	23,594.52	25,060.57	982.85	16,532.85	31,550.51	19,332.89	149,391.16
Bills Payable -----					19,500.00				19,500.00
Total-----	\$129,342.17	\$130,451.92	\$ 95,124.52	\$119,070.57	\$146,592.85	\$161,532.85	\$179,550.51	\$165,442.89	1,127,108.28

EXHIBIT B.

PRISON COMMISSION—DISBURSEMENTS.

	10-26-00 9-30-01	10-1-01 9-30-02	10-1-02 5-31-03	6-1-03 5-31-04	6-1-04 5-31-05	6-1-05 5-31-06	6-1-06 5-31-07	6-1-07 5-31-08	Total
Pay-Roll	\$ 96,398.75	\$ 92,016.61	\$ 60,267.60	\$ 90,536.60	\$ 117,988.84	\$ 104,137.98	\$ 113,930.16	\$ 119,164.14	\$ 794,440.68
Inquest	99.00	200.00	65.00	127.60	178.00	102.00	102.35	115.00	988.95
Camp Expenses	97.86	481.67	408.04	573.97	1,103.20	810.49	1,669.87	856.39	6,211.49
Rewards	1,114.11	1,134.60	400.00	1,692.21	1,961.27	1,338.76	2,224.08	2,496.62	12,311.65
Transportation	610.59	746.35	438.80	308.58	905.57	212.65	512.60	175.72	3,710.86
Inspection	770.73	933.98	1,176.17	877.73	2,307.39	1,844.44	2,063.76	1,799.21	11,776.37
Office Expenses	773.57	1,234.76	564.09	1,187.61	596.37	609.03	672.80	484.01	6,117.24
Litigation	363.59	79.85	39.25	63.80	---	---	---	---	551.49
Farm Supplies	15,243.50	23,342.47	12,094.05	21,716.05	15,884.47	21,592.50	21,449.19	18,268.48	149,590.71
Water Works	4,875.49	---	---	---	---	---	5,246.57	---	10,122.06
Permanent Improvements	1,300.83	7,146.36	2,432.78	---	---	---	---	---	10,879.97
Hospital	711.51	1,630.66	1,667.97	554.03	762.47	916.52	810.07	559.13	7,612.36
Interest	22.93	102.40	---	---	215.85	---	---	---	341.18
Accounts Payable	---	---	---	---	15,500.00	4,000.00	---	---	19,500.00
State Treasurer	---	---	---	12,000.00	---	2,943.99	31,550.51	18,894.54	65,392.14
Refectory	---	---	---	---	---	9,607.72	9,016.24	7,261.30	26,885.26
Total	\$ 123,202.46	\$ 129,049.71	\$ 79,553.75	\$ 129,638.18	\$ 157,403.43	\$ 148,115.18	\$ 88,451.20	\$ 170,070.54	\$ 1,125,492.41

Bank Balance --- 1,615.87

EXHIBIT B—Cont'd.

Total ----- \$1,127,108.28

REPORTED INCOME AND DISBURSEMENTS—STATE FARM.
OCTOBER, 1903—MAY 31, 1908.
INCOME.

	Sales	Hire of Convicts	Total
October, 1903—May 31, 1904-----	\$24,138.47	\$ 33.00	\$24,171.47
June 1, 1904—May 31, 1905-----	14,744.36	539.69	15,284.05
June 1, 1905—May 31, 1906-----	1,098.17	269.61	1,367.78
June 1, 1906—May 31, 1907-----	31,863.32	460.93	32,324.25
June 1, 1907—May 31, 1908-----	20,166.54	385.90	20,552.44
	\$92,010.86	\$1,689.13	\$93,699.99
			—\$93,699.99

DISBURSEMENTS.

	Traded	Pay-Roll	Commission & State Treas.	Unable to Locate	Total
October, 1903—May 31, 1904-----		\$329.97	\$23,780.73	\$60.77	\$24,171.47
June 1, 1904—May 31, 1905-----	.48	729.04	14,554.54	-----	15,284.06
June 1, 1905—May 31, 1906-----		409.68	958.10	-----	1,367.78
June 1, 1906—May 31, 1907-----		773.74	31,550.51	-----	32,324.25
June 1, 1907—May 31, 1908-----	684.60	179.52	19,551.70	136.62 x	20,552.44
	\$685.08	\$2,421.95	\$90,395.58	\$197.39	\$93,700.00
					Difference
					01

x This amount \$136.62 was deposited to the credit of A. B. Coombs, Superintendent.
Exhibit C.

The following resolutions were read and adopted to-wit:

By Mr. Boyd, of Spalding--

A resolution thanking the members of the Committee appointed to investigate charges against Prison Department for the thorough performance of their duty

By Mr. Blackburn, of Fulton—

A resolution fixing the sessions of the House from 10 o'clock a. m. to 1 o'clock p. m.

By Mr. Hall, of Bibb—

A resolution providing for a committee to investigate what per diem. is due the members for attendance on the present extra session.

Under the provisions of the above resolution the Speaker appointed Messrs. Hall, of Bibb, Perry, of Hall, and Hardman, of Jefferson.

The following bills were read the first time and appropriately referred to-wit:

By Mr. Perry, of Hall—

A bill to propose an amendment to the Constitu-

tion of this State by adding a new Section relative to the control and punishment of convicts.

Constitutional amendments.

By Mr. Adams, of Chatham—

A bill to provide for the establishment of childrens' courts.

General Judiciary.

Leave of absence was granted Mr. Wright, of Richmond, Mr. Crumbley, Mr. Barksdale, and Mr. Whitley.

On motion of Mr. Moore, of Cherokee, the Speaker announced the House adjourned until 10 o'clock tomorrow morning.

ATLANTA, GA.,

WEDNESDAY, August 26, 1908.

The House met pursuant to adjournment at 10 o'clock, a. m., this day was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Callaway,	Ellison,
Adams of Elbert,	Candler,	Estes,
Adams of Wilkinson,	Cannon,	Fagan,
Adkins,	Chamlee,	Flanders,
Alexander,	Clark,	Flannigan,
Allen,	Clifton,	Foster,
Anderson of Bulloch,	Collum,	Fowler,
Anderson of Cobb,	Cook of Chat'hoochee,	Fraser,
Arnold,	Cook of Tel'air,	Frier,
Ashley,	Cooke of Thomas,	Fullbright,
Atkinson,	Covington,	Furr,
Austin,	Couch,	Geer,
Ballard,	Cowan,	Gibson,
Barrett,	Crawford,	Glenn,
Barrow,	Culbreth,	Godley,
Bell,	Daniel,	Goode,
Berry,	Davis,	Guyton,
Blackburn,	Davison,	Hall,
Bond,	Dean,	Hamilton,
Bowen,	Dickey,	Hardeman,
Boyd,	Donalson,	Harris,
Brown of Carroll,	Dorminy,	Haywood,
Brown of Oglethorpe,	Dunbar,	Heard,
Buchannon,	Duggan,	Hill,
Burkhalter,	Dykes,	Hines,
Burwell,	Eaves,	Holder,
Datt,	Edmondson,	Howard,
Calbeck,	Edwards,	Hubbard,

Huff,	Nix,	Stubbs,
Huie,	Nowell,	Sumner,
Hullender,	Odum,	Swilling,
Jackson,	Orr,	Taylor of Appling,
Johnson of Jasper,	Parker,	Taylor of Sumter,
Johnson of Jeff Davis,	Parrish,	Terrell,
Johnson of Towns,	Payton,	Thorne,
Jones of Meriwether,	Perry,	Thurman,
Jones of Mitchell,	Persons,	Tift,
Keith,	Peterson,	Townsend,
Kendall,	Pope of Brooks,	Tracy,
Kendrick,	Pope of Dade,	Trent,
Lee,	Powell,	Tuggle,
Lively,	Price of Bartow,	Tyson,
Lumsden,	Price of Oconee,	Walker of Lowndes,
Lunsford,	Reid of Macon,	Walker of Milton,
Matthews,	Reid of Putnam,	Walker of Wash'gton,
MacFarland,	Reid of Wilcox,	Ward,
McCarthy,	Rogers,	Warnell,
McIntyre,	Rountree,	Watkins,
McMahan,	Russell,	White of Madison,
McMichael,	Ryals,	White of Screven,
McMullan,	Shaw,	Whitley,
McWilliams,	Sheffield,	Williams,
Martin,	Simmons,	Wilson,
Massengale,	Slade,	Wise,
Maxwell,	Slater,	Wootten,
Mays,	Smith of Calhoun,	Wynne,
Mercer,	Smith of Campbell,	Young,
Moore,	Stephens,	Mr. Speaker,
Morris,	Stewart,	
Mundy,	Strickland,	

Those absent were Messrs.—

Atwater,	Crumbley,	Wright of Richmond,
Barksdale,	Wright of Floyd,	

The Journal of yesterday's proceedings was read and confirmed.

By unanimous consent the following resolution was introduced and read to-wit:

By Mr. Alexander, of DeKalb—

A resolution proposing an amendment to the Constitution prohibiting the farming out of convict labor and authorizing bonds and taxes for internal improvements.

Constitutional amendments.

Mr. Perry, of Hall, chairman of the Committee on Amendments to the Constitution submitted the following report:

Mr. Speaker:

The Committee on Amendments to the Constitution having under consideration House bill No. 3, proposing an amendment to the Constitution respectfully report that the same do pass by substitute, the said substitute being hereby and herewith reported.

H. H. PERRY, Chairman.

Mr. Hall, of Bibb, gave notice that at the proper time he would submit a minority report, as a member of the Committee on Constitutional Amendments, on House bill No. 3.

By unanimous consent the following bill was read

the second time and recommitted, to-wit:

By Mr. Holder, of Jackson—

A bill to provide for the future employment of felony and misdemeanor male convicts upon the public roads of the several counties of this State and for other purposes.

The following resolution was read, to-wit:

By Mr. Barrett, of Stephens and Hardman, of Jefferson:

A resolution providing that the Committee on Rules be instructed to report at once that debate on House bill No. 1, be limited to four hours, two hours to each side, after which the previous question shall be considered ordered.

The following amendments to the above resolution were offered, to-wit:

By Mr. Dunbar, of Richmond—

To amend by substituting for words from “that debate” to end the following: “whether debate should be limited on the convict bills, and if so, how long debate should be had, and also the length of individual speeches.”

By Mr. Shaw, of Clay—

To amend by adding that no speaker shall speak for more than fifteen minutes and not but one time until all others who wish to speak be passed.

On motion of Mr. Jackson, of Jones, the above resolution with amendments was tabled.

By unanimous consent the following bill was withdrawn from the General Judiciary Committee, read the second time and recommitted, to-wit:

By Mr. Adams, of Chatham—

A bill to provide for the establishment of children's courts.

Mr. Fagan moved to adjourn, which motion prevailed, and the Speaker announced the House adjourned until ten o'clock tomorrow morning.

ATLANTA, GA.

THURSDAY, August 27, 1908.

The House met pursuant to adjournment at 10 o'clock a. m. this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Callaway,	Ellison,
Adams of Elbert,	Candler,	Estes,
Adams of Wilkinson,	Cannon,	Fagan,
Adkins,	Chamlee,	Flanders,
Alexander,	Clark,	Fannigan,
Allen,	Clifton,	Foster,
Anderson of Bulloch,	Collum,	Fowler,
Anderson of Cobb,	Cook of Chat'hoochee,	Fraser,
Arnold,	Cook of Telfair,	Frier,
Ashley,	Cooke of Thomas,	Fullbright,
Atkinson,	Covington,	Furr,
Austin,	Couch,	Geer,
Ballard,	Cowan,	Gibson,
Barrett,	Crawford,	Glenn,
Barrow,	Culbreth,	Godley,
Bell,	Daniel,	Goode,
Berry,	Davis,	Guyton,
Blackburn,	Davison,	Hall,
Bond,	Dean,	Hamilton,
Bowen,	Diekey,	Hardeman,
Boyd,	Donalson,	Harris,
Brown of Carroll,	Dorminy,	Haywood,
Brown of Oglethorpe,	Dunbar,	Heard,
Buchannon,	Duggan,	Hill,
Burkhalter,	Dykes,	Hines,
Burwell,	Eaves,	Holder,
Butt,	Edmondson,	Howard,
Calbeck,	Edwards,	Hubbard,

Huff,	Nix,	Stubbs,
Huie,	Nowell,	Sumner,
Hullender.	Odum.	Swilling,
Jackson.	Orr,	Taylor of Appling,
Johnson of Jasper,	Parker,	Taylor of Sumter,
Johnson of Jeff Davis	Parrish,	Terrell,
Johnson of Towns,	Payton,	Thorne,
Jones of Meriwether,	Perry,	Thurman,
Jones of Mitchell,	Persons,	Tift,
Keith,	Peterson,	Townseud,
Kendall,	Pope of Brooks,	Tracy,
Kendrick,	Pope of Dade,	Trent,
Lee,	Powell,	Tuggle,
Lively,	Price of Bartow,	Tyson,
Lumsden,	Price of Oconee,	Walker of Lowndes,
Lunsford,	Reid of Macon,	Walker of Milton,
Matthews,	Reid of Putnam,	Walker of Wash'gton,
MacFarland,	Reid of Wilcox,	Ward,
McCarthy,	Rogers,	Warnell,
McIntyre,	Rountree,	Watkins,
McMahan,	Russell,	White of Madison,
McMichael,	Ryals,	White of Screven,
McMullan,	Shaw.	Whitley,
McWilliams.	Sheffield,	Williams,
Martin,	Simmons,	Wilson,
Massengale,	Slade,	Wise,
Maxwell,	Slater,	Wootten,
Mays,	Smith of Calhoun,	Wynne,
Mercer,	Smith of Campbell,	Young,
Moore,	Stephens,	Mr. Speaker,
Morris,	Stewart,	
Mundy,	Strickland,	

Those absent were Messrs.—

Atwater,	Crumbley,	Wright of Richmond,
Barksdale.	Wright of Floyd,	

The Journal of yesterday's proceedings was read and confirmed.

Mr. Hall, of Bibb, Chairman of the special committee to investigate what per diem is due the members of the House during the present extraordinary session, submitted the following report, which was adopted, to-wit:

Mr Speaker:

Your Committee appointed by resolution of the House to take in consideration the question as to what per diem the members are entitled to during the present session, especially if any member can draw his per diem for days that he is not in attendance upon the sessions of the House reports, as follows: That we find that the members of the House are entitled at this session to the same per diem and mileage as at regular session for each day's attendance upon the session of the House; we further find that after a member has entered upon his duties at this special session, if he should be prevented by sickness from attending any session of the House, he will be entitled to his per diem for the days that he is so absent from the House; we further find that it is in the power of the House to excuse any member by vote or resolution from attendance upon the sessions of the House and we find that any member, who is granted a leave of absence by the House, would be entitled to the compensation for the days covered by such leave of absence.

We, therefore, recommend the adoption of above report and findings.

Respectfully submitted,

JOS. H. HALL,

Chairman.

H. H. PERRY,

R. N HARDEMAN.

Adopted August 27, 1908.

The following resolutions were read, to-wit:

By Mr. Crawford, of Bartow—

WHEREAS, from the report of the Felder Committee we find that the Prison Commission has been guilty of gross negligence and an utter disregard for the interest of the people entrusted to their care is shown, therefore be it,

Resolved, That a committee of five be appointed to prefer charges of impeachment against said Commission.

To lay on table for one day.

By Mr. Jackson, of Jones—

A resolution providing that the report of the Joint Committee appointed to investigate certain charges against the Prison Commission, together with the auditor's report and evidence filed by them be referred to the General Judiciary Committee with instructions to report whether there is sufficient

evidence contained therein to authorize impeachment proceedings against the members of the said Prison Commission, and for other purposes.

To lay on table one day.

Mr. Anderson, of Bulloch, Vice-Chairman of the Committee on General Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on General Judiciary, having had under consideration the following bill of the House, instructed me as their Vice-Chairman to report same back to the House with the recommendation that same do pass by substitute, to-wit:

A bill to provide for the establishment of children's courts.

Respectfully submitted,

J. J. E. ANDERSON,

Vice-Chairman.

Mr. Perry, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Mr. Speaker:

The Committee on Amendments to the Constitution having under consideration House resolution

No. 5, report that it do pass as amended and the amendment adopted and reported by the Committee is returned herewith with original resolution.

H. H. PERRY,
Chairman.

Mr. Holder, Chairman of the Committee on Penitentiary, submitted the following report:

Mr. Speaker:

Your Committee on Penitentiary has had under consideration House bill No. 1, and as Chairman, I am directed to report the same back to the House with the recommendation that it do pass as amended.

I am directed also to report back the message of the Governor submitted and referred to the Committee on Penitentiary, on August 25th inst., and to say that the Committee has endeavored as far as possible to harmonize the provisions of the bill with the message.

Respectfully submitted,
JOHN N. HOLDER, Chairman.

By unanimous consent the following bill was read the first time, to-wit:

By Mr. Persons, of Monroe—

A bill to create a system of parole or conditional

pardon of prisoners convicted for crime, and for other purposes.

Referred to Penitentiary Committee.

Mr. Hall, of Bibb, asked unanimous consent that the following resolution by Mr. Jackson, of Jones, to-wit:

A resolution to refer the report of the special Joint Committee to investigate certain charges against the members of the Prison Commission to the General Judiciary Committee, be referred to that Committee at once for their consideration, which was granted, and the same was so referred without instructions.

The resolution by Mr. Crawford, of Bartow, providing for a committee to prefer charges of impeachment against the members of the Prison Commission, was also, by unanimous consent, referred to the General Judiciary upon request of Mr. Slater, of Bryan, without instructions.

By unanimous consent the following bill was read the first time, to-wit:

By Mr. Wise, of Fayette—

A bill to provide for the licensing and regulation of the selling of "near beer" and to levy a tax on same; and to provide that funds so raised shall be

used in the purchase of lands for the permanent development of the penitentiary system, and for other purposes.

Referred to Committee on Penitentiary.

On motion of Mr. White, of Screven, 200 copies of the substitute for the "Juvenile Court" bill were ordered printed for the use of the House.

Mr. Dean, of Floyd, gave notice that at the proper time he would file a minority report as a member of the Penitentiary Committee on House bill No. 1.

By unanimous consent the following resolution was introduced and read, to-wit:

By Mr. Alexander, of DeKalb—

A resolution to appoint a commission to report on the use of convicts for extending the Western & Atlantic Railroad.

Referred to W & A. R. R. Committee.

The following resolution was read and adopted, to-wit:

By Mr. Hall, of Bibb—

Resolved by the House, That pending the consideration of House bill No. 1, the sessions of the House

shall be from 9 o'clock a. m. to 1 o'clock p. m., and from 3 o'clock p. m. to 5 o'clock p. m.

The following bill was taken up, read the third time and put upon its passage, and on motion of Mr. Holder, of Jackson, the same was ordered to be considered by Sections, to-wit:

By Mr. Holder, of Jackson—

A bill to provide for the future employment of felony and misdemeanor male convicts upon the public roads of the several counties of this State, except certain classes and for other purposes.

The following amendments were adopted, to-wit:

By Mr. Barrett, of Stephens—

To amend Section 1, by striking the word "is" in line 6, of printed bill, and inserting in lieu thereof, the word "be."

By Mr. Dean, of Floyd—

To amend Section 2, by striking from line 23, the following words "by such county kept and."

By Mr. Blackburn, of Fulton—

To amend by inserting after word "roads" in line

23, Section 2, the following words, “or other public works.”

By Mr. Hall, of Bibb—

To amend Section 2, line 23, by inserting after word “construction” in said line, the words “and repair.”

By Mr. Brown, of Carroll—

To amend Section 2, line 10, by adding after the word “census,” the words “and those counties from which new counties have been created.”

By Mr. Chamlee, of Floyd—

To amend by striking from line 20 in Section 2, the words “so far as practicable,” and insert the words “have the power in their discretion to.”

By Mr. Blackburn, of Fulton—

To amend Section 2, by adding at the end thereof, the words “or other public works.”

By Mr. Blackburn, of Fulton—

To amend Section 2, line 17, by inserting “or other public works” after the word “streets.”

By Mr. White, of Screven—

To amend Section 2, line 3, by inserting after the words “public roads,” the words “bridges or other public works.”

By Mr. Barrett, of Stephens—

To amend Section 3, line 2, by adding after the word “authorities” the words “or municipalities.”

By Mr. Barrett, of Stephens—

To amend Section 3, line 15, by inserting the words “corporation, counties or municipalities,” between the words “person” and “contracting,” also, to amend Section 3, line 3, by adding after the word “roads” the words “bridges and other public works.”

By Mr. Dean, of Floyd—

To amend Section 3, line 13, by adding after the word “convicts” the words “both felony and misdemeanor.”

By Mr. Tuggle, of Troup—

To amend Section 4, line 3, by adding the words “or municipalities” after the word “companies.”

By Mr. Blackburn, of Fulton—

To amend Section 4, line 7, by inserting after the word “counties” the words “and municipalities.”

By Mr. Wise, of Fayette—

To amend Section 4, line 7, by striking the word “to” and insert the word “shall.”

By unanimous consent further action on the convict bill was suspended at this time and the following bills were read the second time, to-wit:

By Mr. Alexander, of DeKalb—

A resolution proposing an amendment to the Constitution prohibiting the farming out of convict labor and authorizing bonds and taxes for internal improvements, and for other purposes.

By Mr. Perry, of Hall—

A bill to propose an amendment to the Constitution by adding an additional Section relative to the control and punishment of criminals.

Leave of absence was granted Messrs. Butt and Eaves.

On motion of Mr. Fullbright, the Speaker announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

The roll was called and the following members answered to their names:

Adams of Chatham,	Clifton,	Furr,
Adams of Elbert,	Collum,	Geer,
Adams of Wilkinson,	Cook of Chat'hoochee,	Gibson,
Adkins,	Cook of Telfair,	Glenn,
Alexander,	Cooke of Thomas,	Godley,
Allen,	Covington,	Goode,
Anderson of Bulloch,	Couch,	Guyton,
Anderson of Cobb,	Cowan,	Hall,
Arnold,	Crawford,	Hamilton,
Ashley,	Culbreth,	Hardeman,
Atkinson,	Daniel,	Harris,
Austin,	Davis,	Haywood,
Ballard,	Davison,	Heard,
Barrett,	Dean,	Hill,
Barrow,	Dickey,	Hines,
Bell,	Donalson,	Holder,
Berry,	Dorminy,	Howard,
Blackburn,	Dunbar,	Hubbard,
Bond,	Duggan,	Huff,
Bowen,	Dykes,	Huie,
Boyd,	Eaves,	Hullender,
Brown of Carroll,	Edmondson,	Jackson,
Brown of Oglethorpe,	Edwards,	Johnson of Jasper,
Buchannon,	Ellison,	Johnson of Jeff Davis
Burkhalter,	Estes,	Johnson of Towns,
Burwell,	Fagan,	Jones of Meriwether,
Butt,	Flanders,	Jones of Mitchell,
Calbeck,	Flannigan,	Keith,
Callaway,	Foster,	Kendall,
Candler,	Fowler,	Kendrick,
Cannon,	Fraser,	Lee,
Chamlee,	Frier,	Lively,
Clark,	Fullbright,	Lumsden,

Lunsford,	Pope of Brooks,	Terrell,
Matthews,	Pope of Dade,	Thorne,
MacFarland,	Powell,	Thurman,
McCarthy,	Price of Bartow,	Tift,
McIntyre,	Price of Oconee,	Townsend,
McMahan,	Reid of Macon,	Tracy,
McMichael,	Reid of Putnam,	Trent,
McMullan,	Reid of Wilcox,	Tuggle,
McWilliams,	Rogers,	Tyson,
Martin,	Rountree,	Walker of Lowndes,
Massengale,	Russell,	Walker of Milton,
Maxwell,	Ryals,	Walker of Wash'gton,
Mays,	Shaw,	Ward,
Mercer,	Sheffield,	Warnell,
Moore,	Simmons,	Watkins,
Morris,	Slade,	White of Madison,
Mundy,	Slater,	White of Screven,
Nix,	Smith of Calhoun,	Whitley,
Nowell,	Smith of Campbell,	Williams,
Odum,	Stephens,	Wilson,
Orr,	Stewart,	Wise,
Parker,	Strickland,	Wootten,
Parrish,	Stubbs,	Wynne,
Payton,	Sumner,	Young,
Perry,	Swilling,	Mr. Speaker,
Persons,	Taylor of Appling,	
Peterson,	Taylor of Sumter,	

Those absent were Messrs.—

Atwater,	Crumbly,	Wright of Richmond,
Barksdale,	Wright of Floyd,	

The following bill which was brought over from this morning's session as unfinished business was again taken up for further consideration, to-wit:

By Mr. Holder, of Jackson—

A bill to provide for future employment of felony

and misdemeanor male convicts upon the public roads of this State, except certain classes, and for other purposes.

The following amendments were adopted, to-wit:

By Mr. Wise, of Fayette—

To amend Section 6, lines 16 and 17, by striking the words “who does not totally abstain from the use of intoxicating liquors as a beverage,” and insert in lieu thereof the words “who drinks intoxicating liquors to excess.”

By Mr. Fowler, of Bibb—

To amend Section 7, line 1, by adding after word “guard” and before word “any” the word “physician.”

By Mr. Slater, of Bryan—

To amend Section 7, line 6, by adding after the words “five years” the words “such offense may be reduced to a misdemeanor by recommendation of the jury trying the case, and the court shall concur in the jury’s recommendation.”

On motion of Mr. Hall, of Bibb, final action on Section 7, of the bill was postponed for the purpose of preparing an amendment.

By Mr. Hall, of Bibb—

To amend Section 8, line 10, by striking all after the word “contract.”

The Committee proposed the following amendment, to-wit:

To amend by adding to the end of Section 9, the following words: “and where a convict is sentenced to the county chaingang and worked by such county on the roads or other public works, such county shall pay the officers of court their costs in that particular case.”

On the adoption of the above amendment Mr. Hall, of Bibb, called for the ayes and nays, which call was sustained, and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Clark,	Harris,
Anderson of Bulloch,	Collum,	Haywood,
Arnold,	Cook of Telfair,	Heard,
Austin,	Couch,	Hines,
Ballard,	Crawford,	Holder,
Barrett,	Davison,	Hullender,
Brown of Carrell,	Dunbar,	Johnson of Jasper,
Brown of Oglethorpe,	Dykes,	Johnson of Towns,
Burkhalter,	Edmondson,	Jones of Meriwether,
Burwell,	Ellison,	Keith,
Butt,	Fagan,	Lively,
Calbeck,	Goode,	Matthews,
Callaway,	Guyton,	McMullan,

McWilliams,	Sheffield,	Tuggle,
Martin,	Slade,	Walker of Lowndes,
Mercer,	Slater,	Ward,
Nix,	Smith of Calhoun,	Watkins,
Odum,	Stewart,	Williams,
Orr,	Sumner,	Wise,
Persons,	Swilling,	Wynne,
Pope of Brooks,	Thorne,	Young,
Price of Bartow,	Trent,	

Those voting in the negative were Messrs.—

Adkins,	Foster,	Moore,
Alexander,	Fullbright,	Parker,
Anderson of Cobb,	Furr,	Parrish,
Atkinson,	Gibson,	Perry,
Berry,	Glenn,	Peterson,
Bond,	Hall,	Pope of Dade,
Bowen,	Hamilton,	Reid of Putnam,
Buchannon,	Hill,	Rogers,
Candler,	Howard,	Rountree,
Cannon,	Hubbard,	Ryals,
Chaulee,	Huie,	Shaw,
Clifton,	Jackson,	Stephens,
Cooke of Thomas,	Johnson of Jeff Davis	Strickland,
Covington,	Kendall,	Taylor of Appling,
Cowan,	Kendrick,	Terrell,
Daniel,	Lee,	Thurman,
Davis	Lumsden,	Tracy,
Dean,	McCarthy,	Walker of Milton,
Dickey,	McIntyre,	White of Screven,
Duggan,	McMahan,	Whitley,
Edwards,	McMichael,	Wootten,
Estes,	Mays,	

Those not voting were Messrs.—

Adams of Chatham,	Atwater,	Blackburn,
Adams of Elbert,	Barksdale,	Boyd,
Adams of Wilkinson,	Barrow,	Cook of Chat'hoochee,
Ashley,	Bell,	Crumbley,

Culbreth,	Lunsford,	Smith of Campbell,
Donalson,	MacFarland,	Stubbs,
Dorminy,	Massengale,	Taylor of Sumter,
Eaves,	Maxwell,	Tift,
Flanders,	Morris,	Townsend,
Flannigan,	Mundy,	Tyson,
Fowler,	Nowell,	Walker of Wash'gton,
Fraser,	Payton,	Warnell,
Frier,	Powell,	White of Madison,
Geer,	Price of Oconee,	Wilson,
Godley,	Reid of Macon,	Wright of Floyd,
Hardeman,	Reid of Wilcox,	Wright of Richmond,
Huff,	Russell,	Mr. Speaker,
Jones of Mitchell,	Simmons,	

Ayes, 65. Nays, 65.

The roll call was verified and on counting the votes cast it was found that the ayes were 65, nays 65, (there being a tie vote the Speaker voted in the negative, which made the nays 66), and the amendment was therefore lost.

By Mr. Wise, of Fayette—

To amend Section 9, by adding at the end thereof the following words: “and where the county works its convicts on the public roads or public works, the county shall pay the county officers the costs due them in that particular case.”

Mr. Sheffield proposed to amend the above amendment by adding the following words “including justices of the peace and constables.”

Before final action on the above amendments could be had Mr. Holder, of Jackson, moved to adjourn, which motion prevailed.

The Speaker then announced the House adjourned until 9 o'clock tomorrow morning.

ATLANTA, GA.

FRIDAY, August 28, 1908.

The House met pursuant to adjournment at 9 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Callaway,	Ellison,
Adams of Elbert,	Candler,	Estes,
Adams of Wilkinson,	Cannun,	Fagan,
Adkins,	Chamlee,	Flanders,
Alexander,	Clark,	Flannigan,
Allen,	Clifton,	Foster,
Anderson of Bulloch,	Collum,	Fowler,
Anderson of Cobb,	Cook of Chat'hoochee,	Fraser,
Arnold,	Cook of Telfair,	Frier,
Ashley,	Cooke of Thomas,	Fullbright,
Atkinson,	Covington,	Furr,
Austin,	Couch,	Geer,
Ballard,	Cowan,	Gibson,
Barrett,	Crawford,	Glenn,
Barrow,	Culbreth,	Godley,
Bell,	Daniel,	Goode,
Berry,	Davis,	Guyton,
Blackburn,	Davison,	Hall,
Bond,	Dean,	Hamilton,
Bowen,	Diekey,	Hardeman,
Boyd,	Donalson,	Harris,
Brown of Carroll,	Dorminy,	Haywood,
Brown of Oglethorpe,	Dunbar,	Heard,
Buchannon,	Duggan,	Hill,
Burkhalter,	Dykes,	Hines,
Burwell,	Eaves,	Holder,
Butt,	Edmondson,	Howard,
Calbeck,	Edwards,	Hubbard,

Huff,	Nix,	Stubbs,
Huie,	Nowell,	Sumner,
Hullender,	Odum,	Swilling,
Jackson,	Orr,	Taylor of Appling,
Johnson of Jasper,	Parker,	Taylor of Sumter,
Johnson of Jeff Davis	Parrish,	Terrell,
Johnson of Towns,	Payton,	Thorne,
Jones of Meriwether,	Perry,	Thurman,
Jones of Mitchell,	Persons,	Tift,
Keith,	Peterson,	Townsend,
Kendall,	Pope of Brooks,	Tracy,
Kendrick,	Pope of Dade,	Trent,
Lee,	Powell,	Tuggle,
Lively,	Price of Bartow,	Tyson,
Lumsden,	Price of Oconee,	Walker of Lowndes,
Lunsford,	Reid of Macon,	Walker of Milton,
Matthews,	Reid of Putnam,	Walker of Wash'gton,
MacFarland,	Reid of Wilcox,	Ward,
McCarthy,	Rogers,	Warnell,
McIntyre,	Rountree,	Watkins,
McMahan,	Russell,	White of Madison,
McMichael,	Ryals,	White of Screven,
McMullan,	Shaw,	Whitley,
McWilliams,	Sheffield,	Williams,
Martin,	Simmons,	Wilson,
Massengale,	Slade,	Wise,
Maxwell,	Slater,	Wootten,
Mays,	Smith of Calhoun,	Wright of Floyd,
Mercer,	Smith of Campbell,	Wynne,
Moore,	Stephens,	Young,
Morris,	Stewart,	Mr. Speaker,
Mundy,	Strickland,	

Those absent were Messrs.—

Atwater,	Barksdale,	Crumbley,
	Wright of Richmond,	

The Journal of yesterday's proceedings was read and confirmed.

Mr. Alexander, Chairman of the Committee on W. & A. R. R., submitted the following report:

Mr. Speaker:

Your Committee on the Western & Atlantic Railroad has had under consideration House resolution No. 9, being a resolution to appoint a commission to inquire and report to the next General Assembly as to the feasibility of employing the convicts in extending the Western & Atlantic Railroad, and instruct me as their Chairman to report the same back with the recommendation that it do pass.

HOOPER ALEXANDER,
Chairman.

August 28th, 1908.

By unanimous consent the following bill was read the second time and recommitted, to-wit:

By Mr. Wise, of Fayette—

A bill to provide for the regulation and licensing of the selling of near beer, etc., and for other purposes.

By unanimous consent the following resolution was read the first time and ordered to lay on the table for one day, to-wit:

By Messrs. Trent and Shaw—

A resolution, requesting the members of the Prison Commission to resign.

By unanimous consent the following resolution was read the second time, to-wit:

By Mr. Alexander, of DeKalb—

A resolution to appoint a commission to report on the use of convicts for extending the Western & Atlantic R. R.

By unanimous consent the following bill was introduced and read the first time, to-wit:

By Messrs. White, of Screven and Perry, of Hall:

A bill to establish a board of control of the Georgia penitentiary and other officers to discharge the duties and exercise the powers now required to be discharged and exercised by the Prison Commission of Georgia, and for other purposes.

Referred to General Judiciary Committee:

The following resolution was read and on motion of Mr. Dunbar the same was indefinitely postponed, to-wit:

By Mr. Perry, of Hall—

A resolution fixing the session of this House as follows:

Meet at 9 a. m., adjourn 1 p. m.

Meet at 3 p. m., adjourn 6 p. m.

By unanimous consent the following bill was read a second time and recommitted, to-wit:

By Mr. Persons, of Monroe—

A bill to create a system of parole or conditional pardons of prisoners convicted for crime.

The following bill brought over from yesterday's session as unfinished business was again taken up, to-wit:

By Mr. Holder, of Jackson—

A bill to provide for the future employment of felony and misdemeanor male convicts upon the public roads of the several counties of this State except certain classes, and for other purposes.

The following amendments which were under consideration when the House adjourned were again taken up, to-wit:

By Mr. Wise, of Fayette—

To amend Section 9, by adding at the end thereof the following words: “and where the county works its convicts on the public roads or public works, the county shall pay the county officers the costs due them in that particular case.

Mr. Sheffield, of Decatur, proposed to amend the above amendment by adding the following: “Including justices of the peace and constables,” which was lost.

On the adoption of the amendment of Mr. Wise, the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Johnson of Jasper,	Reid of Macon,
Anderson of Bulloch,	Jones of Mitchell,	Sheffield,
Ballard,	Kendrick,	Smith of Calhoun,
Barrett,	Lively,	Stewart,
Brown of Carroll,	McMullan,	Thorne,
Brown of Oglethorpe,	McWilliams,	Tift,
Burkhalter,	Martin,	Townsend,
Burwell,	Morris,	Tuggle,
Butt,	Mundy,	Tyson,
Calbeck,	Nix,	Walker of Lowndes,
Crawford,	Odum,	Ward,
Dunbar,	Orr,	Warnell,
Ellison,	Parker,	Watkins,
Fagan,	Pope of Brooks,	Williams,
Flanders,	Pope of Dade,	Wise,
Goode,	Price of Bartow,	Wynne,
Hines,	Price of Oconee,	

Those voting in the negative were Messrs.—

Adams of Chatham,	Flannigan,	Mays,
Adams of Wilkinson,	Foster,	Mercer,
Adkins,	Fowler,	Moore,
Alexander,	Fraser,	Parrish,
Anderson of Cobb,	Fullbright,	Perry,
Atkinson,	Furr,	Persons,
Barrow,	Gibson,	Peterson,
Bell,	Glenn,	Reid of Putnam,
Blackburn,	Godley,	Rogers,
Bond,	Guyton,	Rountree,
Boyd,	Hall,	Ryals,
Buchannon,	Hamilton,	Shaw,
Callaway,	Harris,	Slade,
Candler,	Haywood,	Slater,
Cannon,	Heard,	Stephens,
Chamlee,	Hill,	Strickland,
Clark,	Holder,	Stubbs,
Clifton,	Howard,	Sumner,
Collum,	Huff,	Swilling,
Cook of Chat'hoochee,	Huie,	Taylor of Appling,
Cook of Telfair,	Jackson,	Taylor of Sumter,
Cooke of Thomas,	Johnson of Towns,	Terrell,
Covington,	Kendall,	Thurman,
Couch,	Lee,	Tracy,
Cowan,	Lumsden,	Trent,
Daniel,	Lunsford,	Walker of Milton,
Davis,	Matthews,	Walker of Wash'gton,
Dean,	MacFarland,	White of Screven,
Dickey,	McCarthy,	Wilson,
Donalson,	McIntyre,	Wootten,
Duggan,	McMahan,	Wright of Floyd,
Dykes,	McMichael,	Young,
Edwards,	Massengale,	
Estes,	Maxwell,	

Those not voting were Messrs.—

Allen,	Atwater,	Berry,
Arnold,	Austin,	Bowen,
Ashley,	Barksdale,	Crumbley,

Culbreth,	Hulbard,	Reid of Wilcox,
Davison,	Hullender,	Russell,
Dorminy,	Johnson of Jeff Davis	Simmons,
Eaves,	Jones of Meriwether,	Smith of Campbell,
Edmondson,	Keith,	White of Madison,
Frier,	Nowell,	Whitley,
Geer,	Payton,	Wright of Richmond,
Hardeman,	Powell,	Mr. Speaker,

Ayes, 50. Nays, 100.

By unanimous consent the verification of the roll call was dispensed with.

On the adoption of the amendment the ayes were 50, nays 100. The amendment was therefore lost.

The following amendments were adopted:

By Mr. Hail, of Bibb—

To amend by striking all after the word “contract” in line 10.

By Mr. Anderson, of Bulloch—

To amend Section 10 by adding at the end of said Section the following words: “and it shall be the duty of the Prison Commission to require constant and thorough disinfection of the quarters of the convicts.”

By Mr. Dean, of Floyd—

To amend Section 10 by striking from line 3, of

said bill after word "shall" the words "have authority to," also, by adding in line 4 after the word "camps" the words "subject to the approval of the Governor."

By Mr. Dean, of Floyd—

To amend by adding at the end of Section 10 the following: "Corporal punishment shall not be inflicted unless the physician in charge of the camp or gang, shall enter his approval thereof in writing on a book to be kept by him for the purpose; which entry shall state the cause, character and degree of punishment approved by him. Any person inflicting corporal punishment upon a convict other than such as is approved by such physician shall be guilty of a misdemeanor and on conviction shall be punished as prescribed by law."

On the adoption of the amendment, the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Alexander,	Cowan,	Godley,
Anderson of Cobb,	Dean,	Johnson of Jeff Davis
Ballard,	Duggan,	Johnson of Towns,
Bowen,	Edwards,	Kendall,
Buchanon,	Estes,	Lee,
Burkhalter,	Flanders,	Lively,
Chamlee,	Fraser,	Lumsden,
Cook of Telfair,	Fullbright,	McIntyre,
Cooke of Thomas,	Gibson,	McMahan,
Covington,	Glenn,	Massengale,

Parrish,	Swilling,	White of Screven,
Perry,	Thurman,	Wilson,
Pope of Dade,	Townsend,	Wootten,
Price of Bartow,	Trent,	Wright of Floyd,
Sheffield,	Tyson,	Wynne,
Slater,	Walker of Milton,	Young,
Stubbs,	Watkins,	

Those voting in the negative were Messrs.—

Adams of Chatham,	Flannigan,	Morris,
Adams of Elbert,	Foster,	Nix,
Adams of Wilkinson,	Fowler,	Odum,
Adkins,	Furr,	Orr,
Allen,	Guyton,	Parker,
Anderson of Bulloch,	Hall,	Peterson,
Arnold,	Hamilton,	Pope of Brooks,
Atkinson,	Harris,	Price of Oconee,
Barrett,	Haywood,	Reid of Macon,
Barrow,	Heard,	Rogers,
Blackburn,	Hill,	Rountree,
Bond,	Holder,	Russell,
Brown of Carroll,	Howard,	Ryals,
Brown of Oglethorpe,	Hubbard,	Shaw,
Butt,	Huie,	Slade,
Calbeck,	Hullender,	Stephens,
Caliaway,	Johnson of Jasper,	Stewart,
Cannon,	Jones of Meriwether,	Strickland,
Clark,	Jones of Mitchell,	Sumner,
Clifton,	Keith,	Taylor of Appling,
Colum,	Kendrick,	Taylor of Sumter,
Cook of Chat'hoochee,	Lunsford,	Thorne,
Couch,	Matthews,	Tracy,
Crawford,	MacFarland,	Tuggle,
Daniel,	McCarthy,	Walker of Lowndes,
Davis,	McMichael,	Walker of Wash'gton,
Davison,	McWilliams,	Ward,
Dickey,	Martin,	Williams,
Dykes,	Maxwell,	Wise,
Ellison,	Mays,	
Fagan,	Moore,	

Those not voting were Messrs.—

Ashley,	Eaves,	Persons,
Atwater,	Edmondson,	Powell,
Austin,	Frier,	Reid of Putnam,
Barksdale,	Geer,	Reid of Wilcox,
Bell,	Goode,	Simmons,
Berry,	Hardeman,	Smith of Calhoun,
Boyd,	Hines,	Smith of Campbell,
Burwell,	Huff,	Terrell,
Candler,	Jackson,	Tift,
Crumbley,	McMullan,	Warnell,
Culbreth,	Mercer,	White of Madison,
Donalson,	Mundy,	Whitley,
Dorminy,	Nowell,	Wright of Richmond,
Dunbar,	Payton,	Mr. Speaker,

Ayes, 50. Nays, 91.

By unanimous consent the verification of the roll call was dispensed with.

On the adoption of the amendment the ayes were 50, nays 91; the amendment was therefore lost.

The following amendments were adopted, to-wit:

By Mr. McMichael, of Marion—

To amend by adding a new Section, as follows, and number the same:

“SECTION 12. Be it further enacted that it shall be the duty of some member of the Prison Commission to make personal visits to the various convict

camp of the State including the county road gangs every four months and to make a thorough inspection of every detail of management, plan of operation and treatment of convicts; said visits to be made unawares to the officers in charge of the various camps."

Mr. Blackburn proposed to amend the above amendment by making the visits every 6 months instead of every 4 months. The amendment was adopted, and Mr. McMichael's amendment was adopted as amended.

By Mr. Hall, of Bibb—

To amend by striking from line 9, Section 12, the word "land," also,

To amend Section 12 further, by striking all of said Section after the word "purpose" in line 10.

By Messrs. Barrett and Holder—

To amend Section 12 by adding the following:

"Provided, that at the beginning of any contract period from March 31st, 1909, should there remain any convicts not used by the respective counties and municipalities and not kept at the State farm as provided in this Act. The Prison Commission shall use all such convicts, or as many as it has funds to maintain, in working on public roads and public walks in these counties which do not elect to work their con-

viets; *provided, further*, that all necessary road machinery and other equipments have been first purchased as provided in this Act; *provided, further*, that when the State works convicts it shall retain those sentenced to longest terms.”

Leave of absence was granted Messrs. McMullan, Massengale and Flanders.

On motion of Mr. Holder, of Jackson, the Speaker announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

The roll was called and the following members answered to their names:

Adams of Chatham,	Barrow,	Callaway,
Adams of Elbert,	Bell,	Candler,
Adams of Wilkinson,	Berry,	Cannon,
Adkins,	Blackburn,	Chamlee,
Alexander,	Bond,	Clark,
Allen,	Bowen,	Clifton,
Anderson of Bulloch,	Boyd,	Collum,
Anderson of Cobb,	Brown of Carroll,	Cook of Chat'hoochee,
Arnold,	Brown of Oglethorpe,	Cook of Telfair,
Ashley,	Buchannon,	Cooke of Thomas,
Atkinson,	Burkhalter,	Covington,
Austin,	Burwell,	Couch,
Ballard,	Butt,	Cowan,
Barrett,	Calbeck,	Crawford,

Culbreth,	Hullender,	Price of Oconee,
Daniel,	Jackson,	Reid of Macon,
Davis	Johnson of Jasper,	Reid of Putnam,
Davison,	Johnson of Jeff Davis	Reid of Wilcox,
Dean,	Johnson of Towns,	Rogers,
Dickey,	Jones of Meriwether,	Rountree,
Donalson,	Jones of Mitchell,	Russell,
Dorminy,	Keith,	Ryals,
Dunbar,	Kendall,	Shaw,
Duggan,	Kendrick,	Sheffield,
Dykes,	Lee,	Simmons,
Eaves,	Lively.	Slade,
Edmondson.	Lumsden,	Slater,
Edwards,	Lunsford,	Smith of Calhoun,
Ellison,	Matthews,	Smith of Campbell.
Estes,	MacFarland,	Stephens,
Fagan,	McCarthy,	Stewart,
Flanders,	McIntyre,	Strickland,
Flannigan.	McMahan,	Stubbs,
Foster,	McMichael,	Sumner,
Fowler,	McMullan,	Swilling,
Fraser.	McWilliams.	Taylor of Appling,
Frier,	Martin,	Taylor of Sumter,
Fullbright,	Massengale.	Terrell,
Furr,	Maxwell,	Thorne,
Geer,	Mays,	Thurman,
Gibson,	Mercer,	Tift,
Glenn,	Moore,	Townsend,
Godley,	Morris,	Tracy,
Goode,	Mundy,	Trent,
Guyton,	Nix,	Tuggle,
Hall,	Nowell,	Tyson,
Hamilton,	Odum,	Walker of Lowndes,
Hardeman,	Orr,	Walker of Milton,
Harris,	Parker,	Walker of Wash'gton,
Haywood,	Parrish,	Ward,
Heard,	Payton,	Warnell,
Hill,	Perry,	Watkins,
Hines,	Persons,	White of Madison,
Holder,	Peterson,	White of Screven,
Howard,	Pope of Brooks,	Whitley,
Hubbard,	Pope of Dade,	Williams,
Huff,	Powell,	Wilson.
Huie,	Price of Bartow,	Wise,

Wootten,
Wright of Floyd,

Wynne,
Young,

Mr. Speaker,

Those absent were Messrs.—

Atwater,

Farksdale,
Wright of Richmond,

Crumbly,

The following bill which was brought over from this morning's session as unfinished business, was again taken up, to-wit:

By Mr. Holder, of Jackson—

A bill to provide for future employment of felony and misdemeanor male convicts upon the public roads of the several counties of the State except certain classes, etc., and for other purposes.

The following amendments were adopted, to-wit:

By the Committee—

To amend Section 13 by striking all of said Section and inserting in lieu thereof the following:

SECTION 13. Be it further enacted that all money derived from the hire of convicts after April 1, 1909, shall be used exclusively as a fund for working and maintaining those convicts not taken by the respective counties and said funds shall be used by the Prison Commission in working the convicts upon the roads and public works of the counties not taking their quota of convicts, provided that after the date allowed for hiring the labor of convicts to compa-

nies, corporations, or private parties should there be no convicts to be maintained and used by the State in the construction of public thoroughfares in the counties not electing to use their convicts, then said funds together with the money derived from those counties which work an excess of convicts over their pro rata share shall be apportioned to the counties not working convicts and shall be used by them for work on public roads exclusively.”

By the Committee—

To amend by adding following Section to be known as Section 14:

SECTION 14. Be it further enacted that the State farm be used as far as possible for the purpose of making supplies of all kinds for maintaining the convicts either in farm products or manufacturing articles for the use of the convicts and State sanitarium and that all net profits arising from the State farm be used in establishing a central penitentiary for the purpose of working such vicious convicts as the Prison Commission may select. That after the State farm and the central penitentiary has been sufficiently improved for all purposes such other profits arising therefrom shall be used for the purpose of purchasing such other lands as may be necessary for the maintaining the convicts of the State.

Mr. Hall, of Bibb, proposed to amend the above amendment by striking the words “other lands,” which was adopted.

By the Committee—

To amend by adding a new Section, to-wit:

SECTION 15. Be it further enacted that the Prison Commission shall cause to be maintained at the State farm a thorough system of bookkeeping.

By the Committee—

To amend by adding another Section to be numbered appropriately, to-wit: “That wherever the term ‘Prison Commission’ appears it shall be construed to mean the official charged under the law in force at the time with the management and control of the State convicts.”

By Mr. Hall, of Bibb—

To amend Section 7 by striking from line 5 the words “of the same,” and insert in lieu thereof the words “of the violation of any of the provisions of this Section shall be guilty of a felony and upon conviction.”

On motion of Mr. Holder, of Jackson, the House reconsidered its action in adopting Section 3 of the convict bill and the following amendment was offered and adopted, to-wit:

By Mr. Holder, of Jackson—

To amend Section 3 by adding after the words

“public roads” in line 3, the words “by the counties, municipalities or the State.”

By Mr. Hall, of Bibb—

To amend caption by inserting after word “commission” in last line thereof the words “to make violations of certain provisions of this Act crimes and to provide punishment therefor.”

The report of the Committee which was favorable to the passage of the bill as amended was agreed to as amended.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Wilkinson,	Clark,	Fowler,
Adkins,	Clifton,	Goode,
Allen,	Collum,	Guyton,
Anderson of Bulloch,	Cook of Chat'hoochee,	Hall,
Arnold,	Cooke of Thomas,	Hamilton,
Atkinson,	Couch,	Harris,
Austin,	Crawford,	Haywood,
Barrett,	Daniel,	Heard,
Barrow,	Davis	Holder,
Blackburn,	Davison,	Howard,
Bond,	Donalson,	Hubbard,
Brown of Carroll,	Dunbar,	Hullender,
Brown of Oglethorpe,	Dykes,	Johnson of Jasper,
Burkhalter,	Ellison,	Johnson of Jeff Davis
Butt,	Fagan,	Jones of Meriwether,
Calbeck,	Flanders,	Keith,
Callaway,	Flannigan,	Kendrick,
Chamlee,	Foster,	Lee,

Lumsden,	Persons,	Thorne,
Lunsford,	Peterson,	Tift,
Matthews,	Pope of Brooks,	Tracy,
McCarthy,	Pope of Dade,	Trent,
McManan,	Price of Oconee,	Tuggle,
McMichael,	Reid of Macon,	Tyson,
McWilliams,	Rountree,	Walker of Lowndes,
Martin,	Russell,	Walker of Wash'gton,
Maxwell,	Ryals,	Ward,
Mays,	Slade,	Watkins,
Mercer,	Slater,	Whitley,
Morris,	Stephens,	Williams,
Nix,	Stewart,	Wilson,
Odum,	Sumner,	Wise,
Orr,	Taylor of Sumter,	Wootten,

Those voting in the negative were Messrs.—

Adams of Chatham,	Furr,	Price of Bartow,
Alexander,	Gibson,	Reid of Putnam,
Anderson of Cobb,	Glenn,	Rogers,
Ballard,	Godley,	Shaw,
Bell,	Hill,	Sheffield,
Boyd,	Hines,	Smith of Calhoun,
Buchannon,	Huff,	Smith of Campbell,
Burwell,	Huie,	Stubbs,
Candler,	Jackson,	Swilling,
Cannon,	Johnson of Towns,	Taylor of Appling,
Cook of Telfair,	Jones of Mitchell,	Terrell,
Covington,	Kendall,	Thurman,
Cowan,	Lively,	Townsend,
Dean,	MacFarland,	Walker of Milton,
Diekey,	McIntyre,	White of Screven,
Duggan,	Moore,	Wright of Floyd,
Edwards,	Mundy,	Wynne,
Estes,	Parker,	Young,
Frier,	Parrish,	
Fullbright,	Perry,	

Those not voting were Messrs.—

Adams of Elbert,	Atwater,	Berry,
Ashley,	Barksdale,	Bowen,

Crumbley,	Hardeman,	Simmons,
Culbreth,	McMullan,	Strickland,
Dorminy,	Massengale,	Warnell,
Eaves,	Nowell,	White of Madison,
Edmondson,	Payton,	Wright of Richmond,
Fraser,	Powell,	Mr. Speaker,
Geer,	Reid of Wilcox,	

Ayes, 99. Nays, 58.

The roll-call was verified and on counting the votes cast it was found that the ayes were 99, nays 58.

The bill having received the requisite Constitutional majority was passed as amended.

Leave of absence was granted Messrs. Heard, Ballard, Price, of Bartow; Hamilton, Mundy, Nix, Dykes.

The Speaker then announced the House adjourned until 10 o'clock tomorrow morning.

ATLANTA, GA.

SATURDAY, August 29, 1908.

The House met pursuant to adjournment at 10 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Callaway,	Ellison,
Adams of Elbert,	Candler,	Estes,
Adams of Wilkinson,	Cannon,	Fagan,
Adkins,	Chamlee,	Flanders,
Alexander,	Clark,	Flannigan,
Allen,	Clifton,	Foster,
Anderson of Bulloch,	Collum,	Fowler,
Anderson of Cobb,	Cook of Chat'hoochee,	Fraser,
Arnold,	Cook of Telfair,	Frier,
Ashley,	Cooke of Thomas,	Fullbright,
Atkinson,	Covington,	Furr,
Austin,	Couch,	Geer,
Ballard,	Cowan,	Gibson,
Barrett,	Crawford,	Glenn,
Barrow,	Culbreth,	Godley,
Bell,	Daniel,	Goode,
Berry,	Davis,	Guyton,
Blackburn,	Davison,	Hall,
Bond,	Dean,	Hamilton,
Bowen,	Dickey,	Hardeman,
Boyd,	Donalson,	Harris,
Brown of Carroll,	Dorminy,	Haywood,
Brown of Oglethorpe,	Dunbar,	Heard,
Buehannon,	Duggan,	Hill,
Burkhalter,	Dykes,	Hines,
Burwell,	Eaves,	Holder,
Butt,	Edmondson,	Howard,
Calbeck,	Edwards,	Hubbard,

Huff,	Nix,	Stubbs,
Huie,	Nowell,	Sumner,
Hullender,	Odum,	Swilling,
Jackson,	Orr,	Taylor of Appling,
Johnson of Jasper,	Parker,	Taylor of Sumter,
Johnson of Jeff Davis	Parrish,	Terrell,
Johnson of Towns,	Payton,	Thorne,
Jones of Meriwether,	Perry,	Thurman,
Jones of Mitchell,	Persons,	Tift,
Keith,	Peterson,	Townsend,
Kendall,	Pope of Brooks,	Tracy,
Kendrick,	Pope of Dade,	Trent,
Lee,	Powell,	Tuggle,
Lively,	Price of Bartow,	Tyson,
Lumsden,	Price of Oconee,	Walker of Lowndes,
Lunsford,	Reid of Macon,	Walker of Milton,
Matthews,	Reid of Putnam,	Walker of Wash'gton,
MacFarland,	Reid of Wilcox,	Ward,
McCarthy,	Rogers,	Warnell,
McIntyre,	Rountree,	Watkins,
McMahan,	Russell,	White of Madison,
McMichael,	Ryals,	White of Screven,
McMullan,	Shaw,	Whitley,
McWilliams,	Sheffield,	Williams,
Martin,	Simmons,	Wilson,
Massengale,	Slade,	Wise,
Maxwell,	Slater,	Wootten,
Mays,	Smith of Calhoun,	Wright of Floyd,
Mercer,	Smith of Campbell,	Wynne,
Moore,	Stephens,	Young,
Morris,	Stewart,	Mr. Speaker,
Mundy,	Strickland,	

Those absent were Messrs.—

Atwater,	Barksdale,	Crumbley,
	Wright of Richmond,	

The Journal of yesterday's proceedings was read and confirmed.

Mr. Hall, of Bibb, moved to adjourn and on that

motion Mr. Adkins, of Dooly, called for the ayes and nays, which motion prevailed, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Estes,	Johnson of Jasper,
Adams of Wilkinson,	Geer,	Reid of Macon,
Arnold,	Hall,	Stewart,
Blackburn,	Haywood,	
Boyd,	Huff,	

Those voting in the negative were Messrs.—

Adams of Chatham,	Covington,	Hullender,
Adkins,	Couch,	Jackson,
Alexander,	Crawford,	Johnson of Jeff Davis
Anderson of Bulloch,	Dean,	Johnson of Towns,
Anderson of Cobb,	Dickey,	Jones of Mitchell,
Ashley,	Donalson,	Keith,
Austin,	Dunbar,	Kendall,
Barrett,	Duggan,	Kendrick,
Barrow,	Dykes,	Lee,
Berry,	Edwards,	Lively,
Bond,	Flannigan,	Lunsford,
Bowen,	Foster,	MacFarland,
Brown of Carroll,	Fowler,	McCarthy,
Brown of Oglethorpe,	Frier,	McIntyre,
Buchannon,	Fullbright,	McMahan,
Burkhalter,	Furr,	McMichael,
Burwell,	Gibson,	McWilliams,
Calbeck,	Glenn,	Martin,
Callaway,	Godley,	Maxwell,
Candler,	Goode,	Moore,
Cannon,	Guyton,	Odum,
Clifton,	Hardeman,	Orr,
Collum,	Harris,	Parker,
Cook of Chat'hoochee,	Holder,	Parrish,
Cook of Telfair,	Hubbard,	Perry,
Cooke of Thomas,	Huie,	Persons,

Peterson,	Stubbs,	Tyson,
Pope of Brooks,	Sumner,	Walker of Milton,
Pope of Dade,	Swilling,	Walker of Wash'gton,
Price of Oconee,	Taylor of Appling,	Ward,
Reid of Putnam,	Taylor of Sumter,	Watkins,
Rogers,	Terrell,	White of Screven,
Rountree,	Thorne,	Williams,
Sheffield,	Thurman,	Wilson,
Slade,	Townsend,	Wise,
Slater,	Tracy,	Wright of Floyd,
Smith of Calhoun,	Trent,	Wynne,
Smith of Campbell,	Tuggle,	Young,

Those not voting were Messrs.—

Allen,	Fagan,	Payton,
Atkinson,	Flanders,	Powell,
Atwater,	Fraser,	Price of Bartow,
Ballard,	Hamilton,	Reid of Wilcox,
Barksdale,	Heard,	Russell,
Bell,	Hill,	Ryals,
Butt,	Hines,	Shaw,
Chamlee,	Howard,	Simmons,
Clark,	Jones of Meriwether,	Stephens,
Cowan,	Lumsden,	Strickland,
Crumbley,	Matthews,	Tift,
Culbreth,	McMullan,	Walker of Lowndes,
Daniel,	Massengale,	Warnell,
Davis,	Mays,	White of Madison,
Davison,	Mercer,	Whitley,
Dorminy,	Morris,	Wootten,
Eaves,	Mundy,	Wright of Richmond,
Edmondson,	Nix,	Mr. Speaker,
Ellison,	Nowell,	

Ayes, 13. Nays, 114.

By unanimous consent the verification of the roll-call was dispensed with.

On the motion to adjourn the ayes were 13, nays

114, the motion was therefore lost.

Mr. Holder, Chairman of Committee on Penitentiary, submitted the following report:

Mr Speaker:

Your Committee on Penitentiary having had under consideration the following bill of the House instructed me, as their chairman, to report same back to the House with the recommendation that same do pass as amended, to-wit:

A bill to create a system of parole on conditional pardons of prisoners convicted for crime.

Respectfully submitted,

JNO. N HOLDER,
Chairman.

Mr. Anderson, of Bulloch, Vice-Chairman of the Committee on General Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on General Judiciary have had under consideration House resolutions No. 7 and No. 8, relative to the impeachment of the Prison Commission, and instructed me, as their Vice-Chairman, to submit to the House the following report, to-wit:

That the House should adopt the conclusions and statements contained in the unanimous report of the Joint Committee, appointed at the recent session of the General Assembly to investigate the penitentiary system of the State, as being sustained by the evidence and eminently just. But the Committee recommend that while the criticisms and strictures upon the Prison Commission unanimously made in said report are just, that neither the report nor the evidence demands that impeachment proceedings be instituted against the members of said Commission. The Committee further reports that under the call for the extraordinary session no impeachment proceedings could be undertaken at this extraordinary session.

Respectfully submitted,

J. J. E. ANDERSON,

Vice-Chairman.

The above report was adopted on motion of Mr. Perry, of Hall.

By unanimous consent the following bill was read the first time, to-wit:

By Mr. McMichael, of Marion—

A bill to modify and reduce the fee bill of the solicitor-general as prescribed in Section 1099 of the Code so as to raise a fund with which to pay the expenses

of employing felony and misdemeanor convicts upon the public roads and for other purposes.

Referred to Penitentiary Committee.

The following bill was taken up, read the third time, and put upon its passage, to-wit:

By Mr. Adams, of Chatham—

A bill to provide for the establishment of children's courts, etc., and for other purposes.

The Committee proposed a substitute to the above bill which was amended as follows, to-wit:

By Mr. Brown, of Carroll—

To amend by inserting the words "or other authority having control of county matters" between the words "commissioners" and "when" in line 9, of Section 6, of printed substitute.

By Mr. Swilling, of Franklin—

To amend Section 11 by inserting in line 2, between the words "be" and "withdrawn" the word "illegally."

By Mr. Burwell, of Hancock—

To amend Section 14 by inserting between the words "thereof" and "and" in line 2, the words

“for the purposes of enforcing the provisions of this Act.”

By Mr. Boyd, of Spalding—

To amend Section 6, by striking from line 6 the words “although the warrant is not at the time in his possession.”

The report of the Committee which was favorable to the passage of the bill by substitute was agreed to as amended.

On the passage of the bill the ayes were 111, nays 3.

The bill having received the requisite Constitutional majority was passed by substitute as amended.

By unanimous consent the following bill was introduced and read the first time to-wit:

By Mr. Alexander, of DeKalb—

A bill to be entitled an Act to dispose of the felony convicts after March 31, 1909.

Engrossed.

Mr. Hall, of Bibb, moved that when the House adjourn it stand adjourned until 12 o'clock m. Monday next.

On the motion to adjourn Mr. White, of Screven, called for the ayes and nays, which call was sustained and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Fullbright,	McMichael,
Adams of Wilkinson,	Guyton,	Maxwell,
Arnold,	Hall,	Parker,
Blackburn,	Haywood,	Parrish,
Boyd,	Huff,	Reid of Macon,
Burwell,	Huie,	Russell,
Donalson,	Johnson of Jasper,	Slater,
Dunbar,	Kendall,	Tuggle,
Estes,	Lumsden,	Young,
Fowler,	Matthews,	

.

Those voting in the negative were Messrs.—

Adkins,	Cooke of Thomas,	Johnson of Towns,
Alexander,	Covington,	Jones of Mitchell,
Anderson of Bulloch,	Couch,	Keith,
Anderson of Cobb,	Crawford,	Kendrick,
Ashley,	Dean,	Lee,
Austin,	Duggan,	Lively,
Barrett,	Edwards,	Lunsford,
Barrow,	Flannigan,	MacFarland,
Bond,	Frier,	McIntyre,
Bowen,	Furr,	McMahan,
Brown of Carroll,	Gibson,	McWilliams,
Burkhalter,	Glenn,	Martin,
Calbeck,	Godley,	Mercer,
Callaway,	Goode,	Odum,
Cannon,	Harris,	Orr,
Clark,	Hill,	Persons,
Clifton,	Helder,	Pope of Dade,
Collum,	Hubbard,	Price of Oconee,
Cook of Chat'hoochee,	Hullender,	Reid of Putnam,
Cook of Telfair,	Jackson,	Rogers,

Rountree,	Thorne,	Watkins,
Slade,	Thurman,	White of Screven,
Smith of Calhoun,	Tracy,	Williams,
Smith of Campbell,	Trent,	Wise,
Stubbs,	Tyson,	Wright of Floyd,
Sumner,	Walker of Milton,	Wynne,
Swilling,	Walker of Wash'gton,	
Taylor of Appling,	Ward,	

Those not voting were Messrs.—

Adams of Chatham,	Ellison,	Peterson,
Allen,	Fagan,	Pope of Brooks,
Atkinson,	Flanders,	Powell,
Atwater,	Foster,	Price of Bartow,
Ballard,	Fraser,	Reid of Wilcox,
Barksdale,	Geer,	Ryals,
Bell,	Hamilton,	Shaw,
Berry,	Hardeman,	Sheffield,
Brown of Oglethorpe,	Heard,	Simmons,
Buchannon,	Hines,	Stephens,
Butt,	Howard,	Stewart,
Candler,	Johnson of Jeff Davis	Strickland,
Chamlee,	Jones of Meriwether,	Taylor of Sumter,
Cowan,	McCarthy,	Terrell,
Crumbley,	McMullan,	Tift,
Culbreth,	Massengale,	Townsend,
Daniel,	Mays,	Walker of Lowndes,
Davis,	Moore,	Warnell,
Davison,	Morris,	White of Madison,
Dickey,	Mundy,	Whitley,
Dorminy,	Nix,	Wilson,
Dykes,	Nowell,	Wootten,
Eaves,	Payton,	Wright of Richmond,
Edmondson,	Perry,	Mr. Speaker,

Ayes, 29. Nays, 82.

By unanimous consent the verification of the roll call was dispensed with.

On the motion to adjourn the ayes were 29, nays 82. The motion was therefore lost.

Mr. Jackson, of Jones, moved that the House adjourn and on that motion Mr. Boyd, of Spalding, called for the ayes and nays, which call was sustained and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams, of Elbert,	Fullbright,	Martin,
Adams of Wilkinson,	Furr,	Maxwell,
Anderson of Cobb,	Geer,	Mercer,
Arnold,	Gibson,	Mundy,
Austin,	Guyton,	Parker,
Barrett,	Hall,	Persons,
Barrow,	Harris,	Peterson,
Berry,	Haywood,	Price of Oconee,
Blackburn,	Hubbard,	Reid of Macon,
Boyd,	Huie,	Slade,
Burwell,	Jackson,	Smith of Calhoun,
Calbeck,	Johnson of Jasper,	Stewart,
Candler,	Jones of Meriwether,	Stubbs,
Cannon,	Jones of Mitchell,	Tuggle,
Collum,	Kendall,	Walker of Wash'gton,
Cook of Chat'hoochee,	Lively,	Ward,
Crawford,	Lumsden,	Watkins,
Donalson,	Lunsford,	Williams,
Estes,	Matthews,	Wise,
Flannigan,	McMichael,	Wright of Floyd,
Fowler,	McWilliams,	Young,

Those voting in the negative were Messrs.—

Adkins,	Bond,	Buchannon,
Alexander,	Bowen,	Burkhalter,
Anderson of Bulloch,	Brown of Carroll,	Callaway,
Ashley,	Brown of Oglethorpe,	Clark,

Clifton,	Hullender,	Smith of Campbell,
Cook of Telfair,	Johnson of Towns,	Sumner,
Cooke of Thomas,	Keith,	Swilling,
Covington,	Kendrick,	Taylor of Appling,
Couch,	Lee,	Thorne,
Dean,	MacFarland,	Thurman,
Dunbar,	McCarthy,	Tracy,
Duggan,	McIntyre,	Trent,
Edwards,	Odum,	Tyson,
Foster,	Orr,	Walker of Milton,
Glenn,	Parrish,	White of Screven,
Godley,	Pope of Dade,	Wilson,
Goode,	Reid of Putnam,	Wynne,
Hill,	Rountree,	
Holder,	Slater,	

Those not voting were Messrs.—

Adams of Chatham,	Flanders,	Price of Bartow,
Allen,	Fraser,	Reid of Wilcox,
Atkinson,	Frier,	Rogers,
Atwater,	Hamilton,	Russell,
Ballard,	Hardeman,	Ryals,
Barksdale,	Heard,	Shaw,
Bell,	Hines,	Sheffield,
Butt,	Howard,	Simmons,
Chamlee,	Huff,	Stephens,
Cowan,	Johnson of Jeff Davis	Strickland,
Crumbley,	McMahan,	Taylor of Sumter,
Culbreth,	McMullan,	Terrell,
Daniel,	Massengale,	Tift,
Davis,	Mays,	Townsend,
Davison,	Moore,	Walker of Lowndes,
Dickey,	Morris,	Warnell,
Dorminy,	Nix,	White of Madison,
Dykes,	Nowell,	Whitley,
Eaves,	Payton,	Wootten,
Edmondson,	Perry,	Wright of Richmond,
Ellison,	Pope of Brooks,	Mr. Speaker,
Fagan,	Powell,	

Ayes, 63. Nays, 55.

On motion of Mr. Wise, of Fayette, the verification of the roll-call was dispensed with.

On the motion to adjourn the ayes were 63, nays 55. The motion therefore prevailed.

Leave of absence was granted Messrs. Howard of Charlton and Clark.

The Speaker then announced the House adjourned until 10 o'clock Monday morning.

ATLANTA, GA.

MONDAY, August 31, 1908.

The House met pursuant to adjournment at 10 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by Rev. R. F. Eakes.

The roll was called and the following members answered to their names:

Adams of Chatham,	Calbeck,	Edmondson,
Adams of Elbert,	Callaway,	Edwards,
Adams of Wilkinson,	Candler,	Ellison,
Adkins,	Cannon,	Estes,
Alexander,	Chamlee,	Fagan,
Allen,	Clark,	Flanders,
Anderson of Bulloch,	Clifton,	Flannigan,
Anderson of Cobb,	Collum,	Foster,
Arnold,	Cook of Chat'hoochee,	Fowler,
Ashley,	Cook of Teifair,	Fraser,
Atkinson,	Cooke of Thomas,	Frier,
Austin,	Covington,	Fullbright,
Ballard,	Couch,	Furr,
Barrett,	Cowan,	Geer,
Barrow,	Crawford,	Gibson,
Bell,	Culbreth,	Glenn,
Berry,	Daniel,	Godley,
Blackburn,	Davis,	Goode,
Bond,	Davison,	Guyton,
Bowen,	Dean,	Hall,
Boyd,	Dickey,	Hamilton,
Brown of Carroll,	Denalson,	Hardeman,
Brown of Oglethorpe,	Dorminy,	Harris,
Buchannon,	Dunbar,	Haywood,
Burkhalter,	Duggan,	Heard,
Burwell,	Dykes,	Hill,
Butt,	Eaves,	Hines,

Holder,	Morris,	Strickland,
Howard,	Mundy,	Stubbs,
Hubbard,	Nix,	Sumner,
Huff,	Nowell,	Swilling,
Huie,	Odum,	Taylor of Appling,
Hullender,	Orr,	Taylor of Sumter,
Jackson,	Parker,	Terrell,
Johnson of Jasper,	Parrish,	Thorne,
Johnson of Jeff Davis,	Payton,	Thurman,
Johnson of Towns,	Perry,	Tift,
Jones of Meriwether,	Persons,	Townsend,
Jones of Mitchell,	Peterson,	Tracy,
Keith,	Pope of Brooks,	Trent,
Kendall,	Pope of Dade,	Tuggle,
Kendrick,	Powell,	Tyson,
Lee,	Price of Bartow,	Walker of Lowndes,
Lively,	Price of Oconee,	Walker of Milton,
Lumsden,	Reid of Macon,	Walker of Wash'gton,
Lunsford,	Reid of Putnam,	Ward,
Matthews,	Reid of Wilcox,	Warnell,
MacFarland,	Rogers,	Watkins,
McCarthy,	Rountree,	White of Madison,
McIntyre,	Russell,	White of Screven,
McMahan,	Ryals,	Whitley,
McMichael,	Shaw,	Williams,
McMullan,	Sheffield,	Wilson,
McWilliams,	Simmons,	Wise,
Martin,	Slade,	Wootten,
Massengale,	Slater,	Wright of Floyd,
Maxwell,	Smith of Calhoun,	Wynne,
Mays,	Smith of Campbell,	Young,
Mercer,	Stephens,	Mr. Speaker,
Moore,	Stewart,	

Those absent were Messrs.—

Atwater,	Barksdale,	Crumbley,
	Wright of Richmond,	

The Journal of Saturday's proceedings was read and confirmed.

Mr. Anderson, of Bulloch, Vice-Chairman of the Committee on General Judiciary, submitted the following report:

Mr Speaker:

Your Committee on General Judiciary having had under consideration the following bill of the House, instructed me, as their Vice-Chairman, to report same back to the House with the recommendation that same do not pass.

A bill to establish a board of control of the Georgia penitentiary and for other purposes.

Respectfully submitted,

J J. E. ANDERSON,

Vice-Chairman.

Mr. White, of Screven, gave notice that at the proper time he would move to have House bill No. 6 placed on the calendar for a second reading for the purpose of disagreeing to the unfavorable report of the Committee.

The following bill was read the third time and put upon its passage, to-wit:

By Mr. Perry of Hall—

A bill to propose an amendment to the Constitution of this State relative to the control and punishment of criminals, and for other purposes.

Mr. Alexander moved that the above bill be tabled for the purpose of taking up the following bill for a second reading which motion prevailed and the following bill was read the second time, to-wit:

By Mr. Alexander—

A bill to dispose of the felony convicts after March 31st, 1909.

Mr. Holder, of Jackson, arose to a question of personal privilege and addressed the following remarks to the chair and on motion of Mr. Barrett, the same were ordered spread on the Journal:

Mr. Speaker:

I arise to a question of personal privilege. No doubt all of the members of the House have read in last Friday's issue of the Atlanta Georgian, the attack made on the convict bill which passed the House on that day, together with the gross misrepresentations of myself.

It is not my purpose to say anything in defense of the bill, but to answer the insinuations and false charges made against me.

In the first place the paper says: "His efforts were most extraordinary at the regular session just past. Seldom has Georgia seen a man put forth such effort as did this gentleman." What are the facts?

At the session of the legislature last year, after three hundred and forty-five bills had been introduced, I introduced a convict bill. The present law expires by limitation on the 31st of next March, and it devolved on this legislature to pass some bill to make disposition of the convicts at the expiration of that time. As no one else had introduced a bill I thought it my duty, as Chairman of the Penitentiary Committee, to introduce one as a basis for convict legislation. No effort was made to get the bill considered at the last session. At the early part of the regular session this year the question of extending the W & A. Railroad to the sea, by the State, with labor of some of its convicts was before the House for consideration. It was not until after a decision was reached by the House that the convicts would not be thus used that the Committee on Penitentiary considered the bill introduced by me last year. A substitute was framed for the bill, and was reported back to the House that "it do pass by substitute." For two weeks the substitute was discussed, and not until after all who desired to speak had expressed their views was a vote taken on the bill. It passed the House and went to the Senate.

Never did I ask any member of the House to cast his vote for the bill. Some of you gentlemen will bear me out in the declaration that when you said to me that you would like to vote for the bill for personal reasons, but felt inclined to vote against it for other reasons, that I always told you that it was not a personal matter, and that it was your duty to vote

your sincere, honest convictions, and to vote as you believed would redound to the best interest of Georgia. If there is a member of this House who was ever urged by me to vote for the bill I do not remember it. Was that extraordinary?

It is true that I remained at my post of duty every day, but that was incumbent upon me as Chairman of the Committee. Had I done less I would have been recreant to the trust reposed in me.

The paper again says: "He returned again to the capital city some four or five days in advance of his fellow legislators at the special session and worked in behalf of his bill." It is true I reached Atlanta on Saturday afternoon prior to the convening of the General Assembly on Tuesday. I did so upon the request of Hon. C. M. Candler and Governor Hoke Smith. Mr. Candler wrote me a letter in which he stated that he desired to confer with me, and Governor Smith sent me this telegram to Jefferson:

"August 19, 1908.

"Hon. Jno. N. Holder,
Jefferson, Ga.,

"Can you not come to Atlanta to-morrow or Friday and spend a day or two with me?

Hoke Smith."

But for the letter and the telegram I would not have been in Atlanta before Monday. The paper

says in referring to me: "This gentleman is so entangled, directly or indirectly, with members and beneficiaries of the convict lease system that it is almost impossible to trace it all." This is absolutely false. I never leased a convict and never expect to. No relative of mine, so far as I know, has ever leased one. No one with whom I am intimately associated is a lessee. No member of my family is a warden, guard or physician in the penitentiary department. I have never received a penny's benefit of convict labor, except what was shared by the public. I was not a guest at a big political dinner given by one of the lessees just after the gubernatorial campaign this year, whereas the editor of the Georgian, so the paper stated, was one of the guests.

The paper says: "Mr. Holder and his brother Frank, are in business with Van Deadwyler, son of Inspector Deadwyler." This is untrue. I am not a partner of Van Deadwyler, and I have never been. I am not a partner of any other Deadwyler and never have been. My brother is not now, and never has been, a partner of Mr. Van Deadwyler, or any other Deadwyler.

These telegrams explain themselves:

"August, 1908.

John N. Holder, Aragon Hotel,
Atlanta, Ga.,

In the absence of my husband, A. V. Deadwyler, who is now in the West, I take the liberty of denying

absolutely the statement in Saturday's Georgian that my husband owns, or has ever owned any land jointly with J N or F P Holder.

Mrs. Lena Deadwyler."

August, 1908.

J N. Holder, Aragon Hotel,
Atlanta, Ga.

I noticed a statement in Saturday's Georgian that A. V Deadwyler, J. N. and Frank Holder owned a farm together in Jackson county. The statement is absolutely false, as I am equally interested in all the farms owned by A. V Deadwyler in Jackson county and elsewhere.

A. Paul Deadwyler."

The paper says: "Major Holder, the father of the man with the bill, gave Colonel Smith his first lift to success, and it is pretty generally believed in Jefferson that in turn his sons have been the beneficiaries of Colonel Jim's kindness." This refers to Col. James M. Smith. It is true that some forty-five years ago, long before I was born, my father loaned Col. Smith some money. The Colonel paid him back. That is all of the transaction. But I have never asked Colonel Smith to loan or give me a dollar. I do not owe him a cent now and never did. He has never given me one penny or anything else. Never did I ask him for a financial favor. I am no beneficiary of Colonel Smith. I do not know what his views are on the convict question, and I do not know

what he thinks of the bill that passed the House. Colonel Smith has sent this letter to the Georgian:

“Smithonia, Ga., 8|31|08.

The Atlanta Georgian,
Atlanta, Ga.

In your issue of the 28th inst., you make a very unfair attack on me in connection with convict legislation now pending. In 1898, I made a bid for one hundred convicts. My bid was accepted. Before the convicts were delivered to me I sold out my entire interest in them to other parties and terminated my connection with the lease. Have had no interest in the lease since. I took no part, pro or con, in passing the lease Act of 1898, or the Act of 1903, or any other legislation concerning the convicts. I have never spoken to, written to, or communicated either directly or indirectly with any member of the General Assembly of Georgia on the subject of disposing of the convicts, except in 1903. At that time I was written to and asked my opinion by various members of the legislature. I wrote a letter, advocating the placing of as many of the convicts as possible on the public roads. This letter was read in the House while in session, as a part of his argument, by, I believe, Representative Felder, now Senator Felder. I was not present. This record shows how I stood five years ago. Selling out my interest ten years ago shows how I stood then.

No member of the present General Assembly can or will say, that I have communicated with him in

any manner whatever in reference to the convict question. I have confidence in the present General Assembly. I believe they will come to a sensible conclusion without any aid from me or from other outsiders and will frame a law that the people will approve, on the sober second thought.

I have never aided John N. or Frank Holder a dollar in my life. Neither ever asked me to do so. I have never had any interest whatever in their business one way or the other. My information is, that when I was a candidate for Governor, Frank Holder voted for me, John N. Holder did not. I do not know what the Holder bill contains. I have never read it.

I, under the old system, owned a smaller interest and worked fewer convicts than any other lessee. I had no interest in the system since the Commission was created. Why parade me before the public in a false light?

I am a private citizen, looking after my business. Am surprised at the attack you make upon me. Hope you will acknowledge your error and show to the people that you will do right.

Respectfully yours,
(Signed) James M. Smith."

The paper said again: "Berry Holder, cousin to John Holder, according to the testimony of Jake Moore, ex-State warden, was partner with him

(Moore) and Hamby in land transactions in Bartow county.” I know nothing about this land transaction, never heard of it until I read it in the newspapers. I am not responsible for the acts and doings of my kinspeople. I am not my kinspeople’s keeper. Berry Holder is a gentleman, and one of the best men in Georgia. I wish he was my first cousin, or second. We are certainly related to this extent; when Adam and Eve were in the Garden of Eden, and after they had eaten the forbidden fruit and learned wisdom, and the woman tried to get away, old Adam cried out “I’ll Holder,” and from that day until this all the Holders in the world have been closely kin.

The paper says: “Mr. Holder lives at Jefferson, Jackson county, a city of some fifteen hundred people. His visible business is a partnership in the running of a weekly paper. He does not devote much of his time to this.” It is true that I live in Jefferson; it is true that I edit the Jackson Herald, and I have been one of the proprietors and its editor for seventeen years. It has required much of my time, attention, and my best efforts. A weekly newspaper that does not have a great deal of attention of the proprietors soon ceases to exist. All the members of this House who are editors of country weeklies know this to be true. It may continue to survive without the close attention of the editor if it is supported by nostrums, but the Herald survives on subscriptions, advertising and job work. It is true that I do not give the paper all my time. McElhannon

and Holder own about two thousand acres of land instead of one thousand as this paper states. That farm, and the ginnery of the same firm, require some of my time. I give some time to other enterprises, such as the Jefferson Banking Company and the Jefferson Cotton Mills, as I am a director in each. The schools of which I am trustee also occupy some of my attention, but I give my most earnest efforts towards the conducting of the Jackson Herald. The farm has taken a considerable amount of my attention, and we have greatly developed it. We have built houses, cleared lands and made many improvements. When we first purchased it the only kind of labor we could get to cultivate it was negro labor on account of the absence of school facilities in that community, but we now have one of the nicest country schools in Georgia, taught by a most excellent young lady, and most of our land is now cultivated by white tenants, native Georgians.

I never obtained a dollar by gambling, graft, deception or humbuggery. Every dollar I have made was by hard work and earnest endeavor.

My principal business is not politics and kindred arts. I do not know what the editor means by "kindred arts." If he insinuates that I am engaged in any illegal or clandestine business it is false from start to finish. That paper sent a detective to my home to find out something derogatory to me and my character. I am glad he sent this man to my place of abode. He searched the records in the

courthouse to find out about my private business, and he made inquiries of people of my private affairs, political, social and religious life. I do not claim to be good. I have made many mistakes in my life. I am a plain, humble sinner, but if he insinuates by the words "kindred arts" that I have ever done anything that I am ashamed of, I denounce it in unmeasured terms.

Politics is not my business. Whenever I desire to become a candidate for office I submit the question to the people and they pass upon same. I served as alderman in the town in which I live, member of the county board of education and president of the same. In 1898 I was first elected to the House. In 1900, 1901 I represented the 33d Senatorial District in the Georgia State Senate. Since then I have been a member of the House. I was never defeated for office in my life. I was born and reared in Jackson county, within three and a half miles of where I now live, my mother is a native of that county, her mother and father were both born and reared in that county, and my people are pioneers of that county.

But why is a detective sent to my home? Why so? Is it because I am a hunted criminal? No, but it is because I am a member of the legislature, who is honestly, sincerely, conscientiously favoring a bill which I believe to be the best solution of the convict question and because my ideas differ with those of the editor of the Georgian. That is all.

The paper again makes a false statement when it says, "John and Frank own another thousand acres." I wish we owned ten thousand acres together, but the fact is we are not in partnership in any way, form or fashion.

The paper again says: "John Holder for some in-explainable reason, we find Chairman of the Legislative Committee in control of the State's convicts." This honor was paid me by the distinguished Speaker of this House. Just before the convening of the General Assembly four years ago I requested him not to appoint me chairman of any committee, but in spite of my request he appointed me Chairman of the Penitentiary Committee. I did not seek the position; I will not try to shun the responsibilities of Chairman of the Committee because I have found those responsibilities in the plain path of duty.

The paper again says: "Mr. Holder was in possession of the facts and reports in connection with the condition in the camps. He was entrusted by Georgia to perform this great duty." In reply to this I will read the following letter from Governor Hoke Smith:

"State of Georgia, Executive Department, Atlanta, August 31, 1908. Hon. John N. Holder, House of Representatives, Atlanta, Ga. My Dear Sir: In response to your oral request, it gives me pleasure to state that shortly after the Committee from the General Assembly made, the latter part of last year, in-

vestigations of the convict camps, you, together with Dr. Brock, called at my office to express dissatisfaction with the conditions which you found existed.

You especially criticized on your first visit the attitude of Mr. Jake Moore, chief warden, who, you and Dr. Brock had learned, was interested financially in some way in the subleasing of convicts.

You also brought to my attention the further fact that wardens, deputy wardens and guards were being paid by lessees of the convicts. We held two or more conferences on different days.

While we agreed that under the Acts of 1897 and 1903 the control of convicts was placed in the hands of the Prison Commission, and were not clear as to any authority vested in the Governor, still you expressed the opinion that the Governor ought to know these conditions, and I undertook to bring the features of complaint, which I have referred to, especially to the attention of the Prison Commission. This I did.

In the entire matter your earnest effort, I am sure, was to remove abuses and improve the prison service.

Very truly yours,

HOKE SMITH.

The findings of the Committee on Penitentiary were laid before the Prison Commission, who took cognizance of every criticism made and of every

charge preferred. They were also brought to the attention of the Governor, as his letter states. These reports to the Prison Commission and the Governor resulted in the resignation of Warden Moore last January. They were responsible for the Prison Commission issuing an order prohibiting wardens from receiving pay from lessees. The report to the legislature was responsible for the passage of the resolution providing for an Investigating Committee. The report of the Investigating Committee gives credit to the Senate and House Penitentiary Committees for bringing to the attention of the General Assembly certain charges and criticisms. The reports of the sub-committees were never in my possession after the adjournment of the committees in November.

In reference to Col. James N. Smith working misdemeanor convicts, I know that the Penitentiary Committee last fall determined that all misdemeanor camps in Georgia should be broken up. These misdemeanor camps are commonly called wildcat camps because they are not under direct control of the State. When a sub-committee was appointed to draft a substitute for the bill I introduced last year, Hon. W. R. Jones, of Meriwether, who is one of the ablest lawyers not only on the committee, but in the House, was requested by me to draw a Section of the bill on this subject. He complied with my request and the Section as is now found in the bill will prohibit counties from hiring their misdemeanors to

private parties, and will prohibit private parties from hiring any convicts from counties.

Gentlemen, I give you the facts. The editor of the Georgian claims to be a Christian gentleman. He has done me a gross injustice. If he is the true Christian he claims to be he will publish in full what I say this morning, and in addition will apologize to me in as conspicuous place in his paper as the one in which he made the charges.

“Who steals my purse steals trash. ’Tis mine, ’tis his, and has been a slave to thousands,
But he who seeks to rob me of my good name does that which does not enrich him, but makes me poor indeed.”

Gentlemen of the House, I have told you the truth, I know it is the truth, God knows what I say is true. But if the Speaker of the House thinks I have been the beneficiary of convict labor, except as the public is interested, I will resign the Chairman of the Committee on Penitentiary. If the Committee on Penitentiary believe I am guilty of the charges in the Georgian I will resign as a member of that Committee. If the House believes these infamous charges I am willing to resign my seat as a member of this House.

But as I stand here and now in the presence of the House and in the fear of God I denounce the article as being false from beginning to end.

The following resolution was read and unanimously adopted by a rising vote, to-wit:

By Mr. Perry, of Hall—

Resolved that while some of the members of this House may have differed with the Hon. John N. Holder on questions of public policy we all wish to express our supreme confidence in his high personal character and his absolute integrity and that we recognize that his views and votes on all public questions have been dictated by the most pure and patriotic motives and we believe that any reflections upon him which have been made have been founded on a lack of true information and are without foundation in fact and that we all deeply regret that any such reflections have been made, be it further,

Resolved, That his vindication in his remarks before the House on a question of personal privilege has been in every respect complete and unanswerable.

Leave of absence was granted Mr. Mundy, Mr. Cooke, of Thomas.

On motion of Mr. Fullbright, the House adjourned and the Speaker announced the House adjourned until 10 o'clock to-morrow morning.

ATLANTA, GA.

TUESDAY, Sept. 1, 1908.

The House met pursuant to adjournment at 10 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Callaway,	Edwards,
Adams of Elbert,	Candler,	Ellison,
Adams of Wilkinson,	Cannon,	Estes,
Adkins,	Chamlee,	Fagan,
Alexander,	Clark,	Flanders,
Allen,	Clifton,	Flannigan,
Anderson of Bulloch,	Collum,	Foster,
Anderson of Cobb,	Cook of Chat'hoochee,	Fowler,
Arnold,	Cook of Telfair,	Fraser,
Ashley,	Cooke of Thomas,	Frier,
Atkinson,	Covington,	Fullbright,
Austin,	Couch,	Furr,
Ballard,	Cowan,	Geer,
Barrett,	Crawford,	Gibson,
Barrow,	Crumbley,	Glenn,
Bell,	Culbreth,	Godley,
Berry,	Daniel,	Goode,
Blackburn,	Davis,	Guyton,
Bond,	Davison,	Hall,
Bowen,	Dean,	Hamilton,
Boyd,	Diekey,	Hardeman,
Brown of Carroll,	Donalson,	Harris,
Brown of Oglethorpe,	Dorminy,	Haywood,
Euchannon,	Dunbar,	Heard,
Burkhalter,	Duggan,	Hill,
Burwell,	Dykes,	Hines,
Butt,	Eaves,	Holder,
Calbeck,	Edmondson,	Howard,

Hubbard,	Nix,	Sumner,
Huff,	Nowell,	Swilling,
Huie,	Odum,	Taylor of Appling,
Hullender,	Orr,	Taylor of Sumter,
Jackson,	Parker,	Terrell,
Johnson of Jasper,	Parrish,	Thorne,
Johnson of Jeff Davis	Payton,	Thurman,
Johnson of Towns,	Perry,	Tift,
Jones of Meriwether,	Persons,	Townsend,
Jones of Mitchell,	Peterson,	Tracy,
Keith,	Pope of Brooks,	Trent,
Kendall,	Pope of Dade,	Tuggle,
Kendrick,	Powell,	Tyson,
Lee,	Price of Bartow,	Walker of Lowndes,
Lively,	Price of Oconee,	Walker of Milton,
Lumsden,	Reid of Macon,	Walker of Wash'gton,
Lunsford,	Reid of Putnam,	Ward,
Matthews,	Reid of Wilcox,	Warnell,
MacFarland,	Rogers,	Watkins,
McCarthy,	Rountree,	White of Madison,
McIntyre,	Russell,	White of Screven,
McMahan,	Ryals,	Whitley,
McMichael,	Shaw,	Williams,
McMullan,	Sheffield,	Wilson,
McWilliams,	Simmons,	Wise,
Martin,	Slade,	Wootten,
Massengale,	Slater,	Wright of Floyd,
Maxwell,	Smith of Calhoun,	Wright of Richmond,
Mays,	Smith of Campbell,	Wynne,
Mercer,	Stephens,	Young,
Moore,	Stewart,	Mr. Speaker,
Morris,	Strickland,	
Mundy,	Stubbs,	

Those absent were Messrs.—

Atwater,

Barksdale,

The Journal of yesterday's proceedings was read and confirmed.

Mr. Holder, Chairman of Committee on Penitentiary submitted the following report:

Mr Speaker:

Your Committee on Penitentiary having had under consideration the following bill of the House, instructed me, as their chairman, to report same back to the House with the recommendation that same do pass by substitute, to-wit:

A bill to provide for the regulation and licensing of the selling of all drinks and beverages in imitation of beer and to levy a tax on the same.

Respectfully submitted,

J. N. HOLDER, Chairman.

Mr. Perry, of Hall, asked unanimous consent to take House bill No. 3 from the table and put the same upon its passage, but there was objection.

The following bill was read the third time and put upon its passage, to-wit:

By Mr. Wise, of Fayette—

A bill to provide for the regulation and licensing of the selling of “near beer” and for other purposes.

Mr. Perry, of Hall, moved that the above bill be tabled, which motion was lost.

Mr. Perry then moved that the House reconsider its action in refusing to table the above bill which motion prevailed.

Mr. Perry again moved that the bill be tabled which motion prevailed.

On motion of Mr. Perry House bill No. 3, which is as follows, was taken from the table and put upon its passage, to-wit:

By Mr. Perry, of Hall—

A bill to propose an amendment to the Constitution relative to the control and punishment of criminals, and for other purposes.

The Committee proposed a substitute to which the following amendments were offered to-wit:

By Mr. Alexander—

To amend by striking out the language proposed as an amendment to the Constitution and substituting the following “The prevention and punishment of crime and the restraint and control of those convicted of crime is a fundamental duty of the State; and no officer or department of the government of Georgia and no subdivision of said government shall ever have power to farm out the labor of convicts to any private person, firm or corporation upon any contract that shall extend beyond the

period fixed by any law enacted or of force in the year 1908.”

On the adoption of the above amendment the ayes and nays were called by Mr. Hall, of Bibb, which call was sustained and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Covington,	Orr,
Adams of Elbert,	Couch,	Perry,
Adams of Wilkinson,	Cowan,	Reid of Putnam,
Adkins,	Dorminy,	Rogers,
Alexander,	Duggan,	Shaw,
Anderson of Cobb,	Edwards,	Sheffield,
Arnold,	Estes,	Smith of Campbell,
Atkinson,	Gibson,	Stephens,
Ballard,	Guyton,	Strickland,
Barrow,	Hamilton,	Stubbs,
Bell,	Hines,	Swilling,
Bond,	Jackson,	Taylor of Sumter,
Bowen,	Johnson of Towns,	Thurman,
Boyd,	Kendall,	Townsend,
Buchannon,	Lively,	Tracy,
Burwell,	Lunsford,	White of Screven,
Callaway,	McMahan,	Williams,
Candler,	McMullan,	Wootten,
Clark,	Martin,	Wright of Floyd,
Cook of Chat'hoochee,	Massengale,	Wynne,
Cook of Telfair,	Morris,	Young,
Cooke of Thomas,	Nowell,	

Those voting in the negative were Messrs.—

Anderson of Bulloch,	Barrett,	Brown of Carroll,
Ashley,	Berry,	Brown of Oglethorpe,
Austin,	Blackburn,	Burkhalter,

Butt,	Haywood,	Peterson,
Calleck,	Heard,	Pope of Brooks,
Cannon,	Hill,	Pope of Dade,
Chamlee,	Holder,	Powell,
Clifton,	Hubbard,	Price of Bartow,
Collum,	Huff,	Price of Oconee,
Crawford,	Huie,	Rountree,
Davison,	Hullender,	Russell,
Dean,	Johnson of Jasper	Ryals,
Donalson,	Johnson of Jeff Davis	Slade,
Dunbar,	Jones of Meriwether,	Slater,
Eaves,	Keith,	Smith of Calhoun,
Ellison,	Kendrick,	Stewart,
Fagan,	Lee,	Sumner,
Flanders,	Lumsden,	Taylor of Appling,
Flannigan,	Matthews,	Terrell,
Fowler,	MacFarland,	Thorne,
Fraser,	McCarthy,	Trent,
Frier,	McIntyre,	Tuggle,
Fullbright,	McMichael,	Tyson,
Furr,	McWilliams,	Walker of Lowndes,
Geer,	Mays,	Walker of Milton,
Glenn,	Mercer,	Walker of Wash'gton,
Godley,	Moore,	Ward,
Goode,	Nix,	Warnell,
Hall,	Odum,	Watkins,
Hardeman,	Parrish,	Wilson,
Harris,	Persons,	Wise,

Those not voting were Messrs.—

Allen,	Edmondson,	Reid of Wilcox,
Atwater,	Foster,	Simmons,
Barksdale,	Howard,	Tift,
Crumbley,	Jones of Mitchell,	White of Madison,
Culbreth,	Maxwell,	Whitley,
Daniel,	Mundy,	Wright of Richmond,
Davis,	Parker,	Mr. Speaker,
Dickey,	Payton,	
Dykos,	Reid of Macon,	

Ayes, 65. Nays, 93.

The roll-call was verified and on counting the votes cast it was found that the ayes were 65; nays 93. The amendment was therefore lost.

By Mr. Dean, of Floyd—

To amend the Committee substitute by substituting for the proposed amendment to the Constitution proposed therein the following: “No contract or agreement for the hiring or leasing of persons convicted of crime in this State or their labor shall be hereafter made by any officer or officers of this State to or with any private corporation.

On the adoption of the above amendment Mr. Hall called for the ayes and nays which call was sustained and on calling the roll the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Crawford,	Jones of Meriwether,
Adams of Elbert,	Davison,	Keith,
Adams of Wilkinson,	Dean,	Kendall,
Anderson of Bulloch,	Donalson,	Lee,
Arnold,	Dunbar,	Lumsden,
Ashley,	Eaves,	Matthews,
Atkinson,	Estes,	McMichael,
Barrett,	Hamilton,	Martin,
Brown of Carroll,	Harris,	Nix,
Brown of Oglethorpe,	Heard,	Parrish,
Butt,	Hubbard,	Persons,
Calbeck,	Huie,	Peterson,
Callaway,	Hullender,	Pope of Brooks,
Chamlee,	Johnson of Jasper.	Powell,

Price of Occonee,	Stewart,	Tuggle,
Russell,	Strickland,	Ward,
Slade,	Thorne,	Warnell,

Those voting in the negative were Messrs.—

Adkins,	Fullbright,	Price of Bartow,
Alexander,	Furr,	Reid of Putnam,
Anderson of Cobb,	Gibson,	Rogers,
Austin,	Glenn,	Rountree,
Ballard,	Godley,	Ryals,
Bell,	Goode,	Shaw,
Berry,	Guyton,	Sheffield,
Blackburn,	Hall,	Slater,
Bond,	Hardeman,	Smith of Calhoun,
Bowen,	Haywood,	Smith of Campbell,
Boyd,	Hill,	Stephens,
Buchannon,	Hines,	Stubbs,
Burkhalter,	Holder,	Sumner,
Burwell,	Huff,	Swilling,
Cannon,	Jackson,	Taylor of Appling,
Clark,	Johnson of Jeff Davis	Taylor of Sumter,
Clifton,	Johnson of Towns,	Terrell,
Collum,	Kendrick,	Thurman,
Cook of Chat'hoochee,	Lively,	Towrsend,
Cook of Telfair,	Lunsford,	Tracy,
Cooke of Thomas,	MacFarland,	Trent,
Covington,	McCarthy,	Tyson,
Couch,	McIntyre,	Walker of Lowndes,
Cowan,	McMahan,	Walker of Milton,
Dickey,	McMullan,	Walker of Wash'gton,
Dorminy,	McWilliams,	Watkins,
Duggan,	Massengale,	White of Screven,
Edwards,	Mays,	Williams,
Ellison,	Merceer,	Wilson,
Fagan,	Moore,	Wise,
Flanders,	Morris,	Wootten,
Flannigan,	Nowell,	Wright of Floyd,
Fowler,	Orr,	Wynne,
Fraser,	Perry,	Young,
Frier,	Pope of Dade,	

Those not voting were Messrs.—

Allen,	Edmondson,	Reid of Macon,
Atwater,	Foster,	Reid of Wilcox,
Barksdale,	Geer,	Simmons,
Barrow,	Howard,	Tift,
Candler,	Jones of Mitchell,	White of Madison,
Crumbley,	Maxwell,	Whitley,
Culbreth,	Mundy,	Wright of Richmond,
Daniel,	Odum,	Mr. Speaker,
Davis,	Parker,	
Dykes,	Payton,	

Ayes, 51. Nays, 104.

By unanimous consent the verification of the roll-call was dispensed with.

On the adoption of the above amendment the ayes were 51, nays 104. The amendment was therefore lost.

By Mr. Blackburn and Mr. McFarland—

To amend by adding the following new Section:
“Be it further enacted, That there shall be made a special tax levy of one-half of one mill upon the taxable property of the State for the years 1909 and 1910, and that the funds arising from such levy shall be set aside as a distinct fund and shall be appropriated by the General Assembly for the working and maintenance of the convicts of Georgia.”

• On the adoption of the above amendment the ayes

and nays were ordered on call of Mr. Hall, of Bibb,
and the vote was as follows:

Those voting in the affirmative were Messrs.—

Blackburn,	Godley,	Smith of Campbell,
Clark,	Huie,	Ward,
Donalson,	Kendall,	White of Screven,
Edwards,	MacFarland,	
Furr,	Shaw,	

Those voting in the negative were Messrs.—

Adams of Chatham,	Chamlee,	Glenn,
Adams of Elbert,	Clifton,	Goode,
Adams of Wilkinson,	Collum,	Guyton,
Adkins,	Cook of Chat'boochee,	Hall,
Alexander,	Cook of Telfair,	Hamilton,
Anderson of Bulloch,	Cooke of Thomas,	Hardeman,
Anderson of Cobb,	Covington,	Harris,
Arnold,	Couch,	Hawwood,
Ashley,	Cowan,	Heard,
Atkinson,	Crawford,	Holder,
Austin,	Davison,	Hubbard,
Ballard,	Dean,	Huff,
Barrett,	Dickey,	Hullender,
Barrow,	Dorminy,	Jackson,
Bell,	Dunbar,	Johnson of Jasper,
Berry,	Duggan,	Johnson of Towns,
Bond,	Eaves,	Jones of Meriwether,
Boyd,	Ellison,	Kendrick,
Brown of Carroll,	Estes,	Lee,
Brown of Oglethorpe,	Fagan,	Lively,
Buchannon,	Flanders,	Lumsden,
Burkhalter,	Flannigan,	Lunsford,
Butt,	Fraser,	Matthews,
Calbeck,	Frier,	McCarthy,
Callaway,	Fullbright,	McIntyre,
Candler,	Geer,	McMahan,
Cannon,	Gibson,	McMichael,

McMullan,	Reid of Putnam,	Thurman,
McWilliams,	Rogers,	Townsend,
Martin,	Rountree,	Tracy,
Mays,	Russell,	Trent,
Mercer,	Ryals,	Tuggle,
Moore,	Sheffield,	Tyson,
Morris,	Slade,	Walker of Milton,
Nix,	Slater,	Walker of Wash'gton,
Nowell,	Smith of Calhoun,	Warnell,
Orr,	Stephens,	Watkins,
Parrish,	Stewart,	Williams,
Perry,	Strickland,	Wilson,
Persons,	Stubbs,	Wise,
Peterson,	Sumner,	Wooten,
Pope of Brooks,	Swilling,	Wright of Floyd,
Pope of Dade,	Taylor of Appling,	Wynne,
Powell,	Taylor of Sumter,	Young,
Price of Bartow,	Terrell,	
Price of Oconee,	Thorne,	

Those not voting were Messrs.—

Allen,	Fowler,	Payton,
Atwater,	Hill,	Reid of Macon,
Barksdale,	Hines,	Reid of Wilcox,
Bowen,	Howard,	Simmons,
Burwell,	Johnson of Jeff Davis	Tift,
Crumbley,	Jones of Mitchell,	Walker of Lowndes,
Culbreth,	Keith,	White of Madison,
Daniel,	Massengale,	Whitley,
Davis	Maxwell,	Wright of Richmond,
Dykes,	Mundy,	Mr. Speaker,
Edmondson,	Odum,	
Foster,	Parker,	

Ayes, 13. Nays, 136.

By unanimous consent the verification of the roll-call was dispensed with.

On the adoption of the amendment the ayes were 13, nays 136. The amendment was therefore lost.

The previous question on the pending bill was called and the main question ordered.

Mr. Wise, of Fayette, moved that the House reconsider its action in calling the previous question and on that motion Mr. Blackburn called for the ayes and nays which call was sustained and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adkins,	Duggan,	Moore,
Alexander,	Edwards,	Morris,
Anderson of Cobb,	Estes,	Orr,
Ashley,	Fagan,	Parrish,
Atkinson,	Flanders,	Perry,
Austin,	Flannigan,	Persons,
Ballard,	Fullbright,	Pope of Dade,
Barrett,	Furr,	Price or Bartow,
Berry,	Gibson,	Reid of Putnam,
Bond,	Goode,	Rogers,
Brown of Carroll,	Hamilton,	Ryals,
Buchannon,	Holder,	Shaw,
Burkhalter,	Huie,	Sheffield,
Burwell,	Hullender,	Smith of Campbell,
Candler,	Jackson,	Strickland,
Cannon,	Johnson of Towns,	Stubbs,
Chamlee,	Lee,	Sumner,
Cook of Chat'hoochee,	Lively,	Swilling,
Cook of Telfair,	Lunsford,	Taylor of Appling,
Cooke of Thomas,	McIntyre,	Tracy,
Covington,	McMahan,	Tyson,
Couch,	McMullan,	Walker of Lowndes,
Cowan,	McWilliams,	Walker of Milton,
Dean,	Martin,	Walker of Wash'gton,
Dickey,	Massengale,	Watkins,

White of Screven,	Wise,	Wynne,
Williams,	Wootten,	Young,
Wilson,	Wright of Floyd,	

Those voting in the negative were Messrs.—

Adams of Chatham,	Fraser,	McCarthy,
Adams of Wilkinson,	Frier,	McMichael,
Anderson of Bulloch,	Glenn,	Mays,
Arnold,	Godley,	Nix,
Barrow,	Guyton,	Peterson,
Blackburn,	Hall,	Pope of Brooks,
Boyd,	Harris,	Russell,
Brown of Oglethorpe,	Haywood,	Slade,
Butt,	Heard,	Slater,
Calbeck,	Hubbard,	Smith of Calhoun,
Callaway,	Huff,	Stephens,
Clark,	Johnson of Jasper,	Stewart,
Clifton,	Jones of Meriwether,	Terrell,
Donalson,	Kendall,	Thorne,
Dunbar,	Kendrick,	Trent,
Eaves,	Lumsden,	Warnell,
Ellison,	Matthews,	
Fowler,	MacFarland,	

Those not voting were Messrs.—

Adams of Elbert,	Dorminy,	Mercer,
Allen,	Dykes,	Mundy,
Atwater,	Edmondson,	Nowell,
Barksdale,	Foster,	Odum,
Bell,	Geer,	Parker,
Bowen,	Hardeman,	Payton,
Collum,	Hill,	Powell,
Crawford,	Hines,	Price of Oconee,
Crumbley,	Howard,	Reid of Macon,
Culbreth,	Johnson of Jeff Davis,	Reid of Wilcox,
Daniel,	Jones of Mitchell,	Rountree,
Davis,	Keith,	Simmons,
Davison,	Maxwell,	Taylor of Sumter,

Thurman,
Tift,
Townsend,

Tuggle,
Ward,
White of Madison,

Whitley,
Wright of Richmond,
Mr. Speaker,

Ayes, 83. Nays, 52.

The roll-call was verified and on counting the votes it was found that the ayes were 83, nays 52. The motion to reconsider the call for the previous question therefore prevailed.

Mr. Wise moved that when the House adjourned it adjourn to meet again at 3 o'clock this afternoon. Mr. Adams moved as substitute that when the House adjourn it adjourn till 9:55 o'clock tomorrow morning and on that motion Mr. White, of Screven, called the previous question.

Mr. Dunbar then moved that the House adjourn and on that motion Mr. Blackburn called for the ayes and nays which call was sustained and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,
Adams of Elbert,
Adams of Wilkinson,
Anderson of Bulloch,
Austin,
Barrow,
Bell,
Blackburn,
Boyd,
Brown of Oglethorpe,

Calbeck,
Chamlee,
Clark,
Clifton,
Collum,
Donalson,
Dunbar,
Eaves,
Fowler,
Fraser,

Geer,
Glenn,
Guyton,
Hall,
Harris,
Haywood,
Heard,
Huff,
Johnson of Jasper,
Jones of Meriwether,

Kendall,	Peterson,	Terrell,
Lumsden,	Russell,	Thorne,
Matthews,	Slade,	Warnell,
MacFarland,	Slater,	
McCarthy,	Stewart,	

Those voting in the negative were Messrs.—

Adkins,	Flanders,	Persons,
Alexander,	Flannigan,	Pope of Dade,
Anderson of Cobb,	Foster.	Reid of Putnam,
Ashley,	Fullbright,	Rogers,
Atkinson,	Gipson,	Ryals,
Berry,	Hamilton,	Shaw,
Bond,	Hardeman,	Sheffield,
Bowen,	Helder,	Smith of Calhoun,
Brown of Carroll,	Hubbard,	Smith of Campbell,
Buchannon,	Huie,	Stephens,
Burkhalter,	Hullender,	Stubbs,
Burwell,	Jackson,	Swilling,
Candler,	Johnson of Towns,	Taylor of Appling,
Cannon,	Keith,	Taylor of Sumter,
Cook of Chat'hoochee,	Kendrick,	Thurman,
Cook of Telfair,	Lee,	Tracy,
Cooke of Thomas,	Lively,	Tyson,
Covington,	Lunsford,	Walker of Lowndes,
Couch,	McIntyre,	Walker of Milton,
Cowan,	McMahan,	Walker of Wash'gton,
Crawford,	McMullan,	Watkins,
Dean,	McWilliams,	White of Screven,
Diekey,	Martin,	Wilson,
Duggan,	Massengale,	Wise,
Edwards,	Moore,	Wootten,
Ellison,	Orr,	Wright of Floyd,
Estes,	Parrish,	Wynne,
Fagan,	Perry,	Young,

Those not voting were Messrs.—

Allen,	Atwater,	Barksdale,
Arnold,	Ballard,	Barrett,

Butt,	Johnson of Jeff Davis	Reid of Macon,
Callaway,	Jones of Mitchell,	Reid of Wilcox,
Crumbley,	McMichael,	Rountree,
Culbreth,	Maxwell,	Simmons,
Daniel,	Mays,	Strickland,
Davis	Mercer,	Sumner,
Davison,	Morris,	Tift,
Dorminy,	Mundy,	Townsend,
Dykes,	Nix,	Trent,
Edmondson,	Nowell,	Tuggle,
Frier,	Odum,	Ward,
Furr,	Parker,	White of Madison,
Godley,	Payton,	Whitley,
Goode,	Pope of Brooks,	Williams,
Hill,	Powell,	Wright of Richmond,
Hines,	Price of Bartow,	Mr. Speaker,
Howard,	Price of Oconee,	

Ayes, 43. Nays, 84.

The roll-call was verified and on counting the votes cast it was found that the ayes were 43, nays 84. The motion to adjourn was therefore lost.

On sustaining the call of Mr. White, of Screven, for the previous question, Mr. Dunbar called for the ayes and nays which call was sustained and on calling the roll the vote was as follows:

Those voting in the affirmative were Messrs.—

Adkins,	Brown of Cairoll,	Cook of Tel'air,
Alexander,	Butt,	Cooke of Thomas,
Ashley,	Calbeck,	Dickey,
Atkinson,	Candler,	Donalson,
Barrett,	Cannon,	Duggan,
Berry,	Chamlee,	Eaves,
Boyd,	Clifton,	Ellison,

Estes,	Johnson of Jasper,	Smith of Campbell,
Fagan,	Kendrick,	Stewart,
Flanders,	Lumsden,	Stubbs,
Flannigan,	McIntyre,	Taylor of Sumter,
Fraser,	McMullan,	Trent,
Frier,	Massengale,	Tuggle,
Glenn,	Moore,	White of Screven,
Godley,	Nix,	Wootten,
Hall,	Parker,	Wright of Floyd,
Hines,	Parrish,	Wynne,
Holder,	Perry,	Young,
Huie,	Ryals,	
Hullender,	Slade,	

Those voting in the negative were Messrs.—

Adams of Chatham,	Guyton,	Peterson,
Adams of Elbert,	Harris,	Rogers,
Anderson of Bulloch,	Heard,	Russell,
Austin,	Huff,	Thorne,
Barrow,	Jones of Meriwether,	Walker of Wash'gton,
Bell,	Kendall,	Warnell,
Blackburn,	Lee,	Watkins,
Brown of Oglethorpe,	Matthews,	Wilson,
Dunbar,	MacFarland,	Wise,
Fowler,	McCarthy,	

Those not voting were Messrs.—

Adams of Wilkinson,	Burwell,	Daniel,
Allen,	Callaway,	Davis
Anderson of Cobb,	Clark,	Davison,
Arnold,	Collum,	Dean,
Atwater,	Cook of Chat'hoochee,	Dorminy,
Ballard,	Covington,	Dykes,
Barksdale,	Couch,	Edmondson,
Bond,	Cowan,	Edwards,
Bowen,	Crawford,	Foster,
Buchannon,	Crumbley,	Fullbright,
Burkhalter,	Culbreth,	Furr,

Geer,	Mays,	Slater,
Gibson,	Mercer,	Smith of Calhoun,
Goode,	Morris,	Stephens,
Hamilton,	Mundy,	Strickland,
Hardeman,	Nowell,	Sumner,
Haywood,	Odum,	Swilling,
Hill,	Orr,	Taylor of Appling,
Howard,	Payton,	Terrell,
Hubbard,	Persons,	Thurman,
Jackson,	Pope of Brooks,	Tift,
Johnson of Jeff Davis	Pope of Dade,	Townsend,
Johnson of Towns,	Powell,	Tracy,
Jones of Mitchell,	Price of Bartow,	Tyson,
Keith,	Price of Oconee,	Walker of Lowndes,
Lively,	Reid of Macon,	Walker of Milton,
Lunsford,	Reid of Putnam,	Ward,
McMahan,	Reid of Wilcox,	White of Madison,
McMichael,	Rountree,	Whitley,
McWilliams,	Shaw,	Williams,
Martin,	Sheffield,	Wright of Richmond,
Maxwell,	Simmons,	Mr. Speaker,

Ayes, 58. Nays, 29.

By unanimous consent the verification of the roll-call was dispensed with.

On the call for the previous question the ayes were 58, nays 29. No quorum having voted on the call for the previous question, Mr. Hall, of Bibb, moved to adjourn and on that motion Mr. Wise called for the ayes and nays which call was sustained and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Anderson of Bulloch,	Barrow,
Adams of Elbert,	Barrett,	Blackburn,

Boyd,	Guyton,	Martin,
Brown of Oglethorpe,	Hall,	Moore,
Butt,	Hardeman,	Peterson,
Calbeck,	Harris,	Russell,
Cannon,	Heard,	Slade,
Chamlee,	Hines,	Slater,
Clifton,	Huff,	Stephens,
Davison,	Hullender,	Stewart,
Dickey,	Johnson of Jasper,	Taylor of Appling,
Donalson,	Johnson of Towns,	Taylor of Sumter,
Dunbar,	Jones of Meriwether,	Thorne,
Eaves,	Keith,	Trent,
Estes,	Kendall,	Tuggle,
Fagan,	Lively,	Walker of Wash'gton,
Fowler,	Matthews,	Warnell,
Fraser,	MacFarland,	Watkins,
Geer,	McIntyre,	Wilson,
Glenn,	McMichael,	

Those voting in the negative were Messrs.—

Adkins,	Flannigan,	Price of Bartow,
Alexander,	Fullbright,	Rogers,
Anderson of Cobb,	Hamilton,	Ryals,
Atkinson,	Holder,	Shaw,
Berry,	Huie,	Sheffield,
Bowen,	Jackson,	Smith of Campbell,
Brown of Carroll,	Kendrick,	Stubbs,
Candler,	Lunsford,	Swilling,
Clark,	McMahan,	Thurman,
Cook of Chat'hoochee,	McWilliams,	Tracy,
Cooke of Thomas,	Massengale,	Walker of Milton,
Covington,	Morris,	White of Screven,
Couch,	Orr,	Wise,
Crawford,	Parker,	Wright of Floyd,
Dean,	Parrish,	Wynne,
Edwards,	Perry,	Young,
Ellison,	Persons,	
Flanders,	Pope of Dade,	

Those not voting were Messrs.—

Adams of Wilkinson,	Allen,	Arnold,
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Ashley,	Frier	Pope of Brooks,
Atwater,	Furr,	Powell,
Austin,	Gibson,	Price of Oconee,
Ballard,	Godley,	Reid of Macon,
Barksdale,	Goode,	Reid of Putnam,
Bell,	Haywood,	Reid of Wilcox,
Bond,	Hill,	Rountree,
Buenannon,	Howard,	Simmons,
Burkhalter,	Hubbard,	Smith of Calhoun,
Burwell,	Johnson of Jeff Davis	Strickland,
Callaway,	Jones of Mitchell,	Sumner,
Collum,	Lee,	Terrell,
Cook of Telfair,	Lumsden,	Tift,
Cowan,	McCarthy,	Townsend,
Cruabley,	McMullan,	Tyson,
Culbreth,	Maxwell,	Walker of Lowndes,
Daniel,	Mays,	Ward,
Davis	Mercer,	White of Madison,
Dorminy,	Mundy,	Whitley,
Duggan,	Nix,	Williams,
Dykes,	Nowell,	Wootten,
Edmondson,	Odum,	Wright of Richmond,
Foster,	Payton,	Mr. Speaker,

Ayes, 59. Nays, 52.

The roll-call was verified and on counting the votes cast it was found that the ayes were 59, nays 52. The motion to adjourn therefore prevailed.

Leave of absence was granted Mr. Lumsden, Mr. Simmons, Mr. Barrett and Mr. Lunsford.

The Speaker then announced the House adjourned until 10 o'clock tomorrow morning.

ATLANTA, GA.

WEDNESDAY, Sept. 2, 1908.

The House met pursuant to adjournment at 10 o'clock a. m., this day was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Callaway,	Estes,
Adams of Elbert,	Candler,	Fagan,
Adams of Wilkinson,	Cannon,	Flanders,
Adkins,	Chamlee,	Flannigan,
Alexander,	Clark,	Foster,
Allen,	Clifton,	Fowler,
Anderson of Bulloch,	Collum,	Fraser,
Anderson of Cobb,	Cook of Chat'hoochee,	Frier,
Arnold,	Cook of Telfair,	Fullbright,
Ashley,	Cooke of Thomas,	Furr,
Atkinson,	Covington,	Geer,
Austin,	Couch,	Gibson,
Bailard,	Cowan,	Glenn,
Barksdale,	Crawford,	Godley,
Barrett,	Culbreth,	Goode,
Barrow,	Daniel,	Guyton,
Bell,	Davis,	Hall,
Berry,	Davison,	Hamilton,
Blackburn,	Dean,	Hardeman,
Bond,	Dickey,	Harris,
Bowen,	Donalson,	Haywood,
Boyd,	Dorminy,	Heard,
Brown of Carroll,	Dunbar,	Hill,
Brown of Oglethorpe,	Duggan,	Hines,
Buchannon,	Dykes,	Holder,
Burkhalter,	Eaves,	Howard,
Burwell,	Edmondson,	Hubbard,
Butt,	Edwards,	Huff,
Calbeck,	Ellison,	Huie,

Hullender,	Nowell,	Stubbs,
Jackson,	Odum,	Sumner,
Johnson of Jasper,	Orr,	Swilling,
Johnson of Jeff Davis,	Parker,	Taylor of Appaling,
Johnson of Towns,	Parrish,	Taylor of Sumter,
Jones of Meriwether,	Payton,	Terrell,
Jones of Mitchell,	Perry,	Thorne,
Keith,	Persons,	Thurman,
Kondall,	Peterson,	Tift,
Kendrick,	Pope of Brooks,	Townsend,
Lee,	Pope of Dade,	Tracy,
Lively,	Powell,	Trent,
Lumsden,	Price of Bartow,	Tuggle,
Lunsford,	Price of Oconee,	Tyson,
Matthews,	Reid of Macon,	Walker of Lowndes,
MacFarland,	Reid of Putnam,	Walker of Milton,
McCarthy,	Reid of Wilcox,	Walker of Washington,
McIntyre,	Rogers,	Ward,
McMahan,	Rountree,	Warnell,
McMichael,	Russell,	Watkins,
McMullan,	Ryals,	White of Madison,
McWilliams,	Shaw,	White of Screven,
Martin,	Sheffield,	Whitley,
Massengale,	Simmons,	Williams,
Maxwell,	Slade,	Wilson,
Mays,	Slater,	Wise,
Mercer,	Smith of Calhoun,	Wootten,
Moore,	Smith of Campbell,	Wright of Floyd,
Morris,	Stephens,	Wynne,
Mundy,	Stewart,	Young,
Nix,	Strickland,	Mr. Speaker,

Those absent were Messrs.—

Atwater,	Crumbley,	Wright of Richmond,
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The Journal of yesterday's proceedings was read and confirmed.

By unanimous consent House bill No. 4, which is a

bill to place a tax on near beer, was taken from the table and placed on the calendar.

The following bill which was brought over from yesterday's session as unfinished business was again taken up, to-wit:

By Mr. Perry, of Hall—

A bill to propose an amendment to the Constitution relative to the control and punishment of criminals and for other purposes.

The substitute proposed by the Committee was further amended as follows:

By Mr. Dean—

To amend committee substitute by substituting for the proposed amendment to the Constitution the following:

“No contract or agreement for the hiring or leasing of persons convicted of crime in this State or their labor shall be hereafter made by any officer or officers of this State to or with any private corporation or any individual or firm, which shall extend beyond December 31, 1911.”

The substitute is as follows:

By the Committee—

A bill to be entitled an Act to submit to the people

of this State an amendment to the Constitution providing that henceforth it shall be unlawful for any officer of this State to lease or hire to any private individual or firm or corporation any person convicted of crime or the labor of such person and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia and it is hereby enacted by authority of the same, That the Constitution of this State be amended by adding to the same as a new article the following:

“The punishment and control of persons convicted of crime being exclusively the duty of the State and its authorities, it shall be unlawful after the ratification of this Article by the people for any officer or officers of this State to lease or hire to any private corporation or to any individual or firm any person convicted of crime or the labor of such person and it shall be the duty of the General Assembly to provide penalties for the violations of this Article.”

SEC. 2. Be it further enacted, That when the above proposed amendment to the Constitution shall be agreed to by two-thirds of the members elected to each of the two houses of the General Assembly the same shall be entered on the journals with the yeas and nays taken thereon, and the Governor shall cause said amendment to be published in at least one newspaper in each congressional

district for two months previous to the time of holding the next general election in November of the present year and shall cause the said amendment to be submitted at said election to the people. That all elections of this State favoring the ratification of said amendment shall have written or printed on their ballots at said election "For amendment to the Constitution forbidding the hiring or leasing of convicts or their labor to private corporations or individuals." That all electors opposing said amendment shall have written or printed on their ballots "Against amendment to the Constitution forbidding the hiring or leasing of convicts or their labor to private corporations or individuals." That all electors qualified to vote for members of the General Assembly shall be entitled to vote on said question, and that the votes cast on said question shall be consolidated in each county of this State as is now required by law in the election of members of the General Assembly and returns thereof made to the Governor and should a majority of all the votes cast on said question be in favor of said amendment it shall be considered ratified and shall become a part of the Constitution of this State, and the Governor shall issue his proclamation to that effect.

The report of the committee which was favorable to the passage of the bill by substitute was agreed to as amended.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Dykes,	Morris,
Adams of Elbert,	Eaves,	Mundy,
Adkins,	Edmondson,	Nowell,
Alexander,	Edwards,	Odum,
Anderson of Cobb,	Ellison,	Orr,
Arnold,	Estes,	Parker,
Ashley,	Fagan,	Perry,
Atkinson,	Flanders,	Peisons,
Austin,	Foster,	Pope of Dade,
Ballard,	Power,	Powell,
Barksdale,	Fraser,	Price of Bartow,
Barrett,	Frier,	Reid of Macon,
Barrow,	Furr,	Reid of Putnam,
Bell,	Geer,	Ryals,
Bond,	Gibson,	Shaw,
Bowen,	Goode,	Slade,
Buchannon,	Hamilton,	Smith of Calhoun,
Burwell,	Hardeman,	Smith of Campbell,
Butt,	Hill,	Stephens,
Calbeck,	Hines,	Strickland,
Callaway,	Holder,	Sumner,
Candler,	Hubbard,	Taylor of Appling,
Cannon,	Huie,	Taylor of Sumter,
Clark,	Hullender,	Terrell,
Collum,	Jackson,	Thurman,
Cook of Chat'hoochee,	Johnson, of Jeff Davis	Tracy,
Cook of Telfair,	Johnson of Towns,	Trent,
Cooke of Thomas,	Jones of Mitchell,	Tuggle,
Covington,	Kendall,	Tyson,
Couch,	Kendrick,	Walker of Lowndes,
Cowan,	Lively,	Walker of Milton,
Daniel,	Matthews,	Walker of Wash'gton,
Davis,	McMahan,	Ward,
Dean,	McMichael,	Watkins,
Dickey,	McMullan,	White of Screven,
Dorminy,	Martin,	Williams,
Duggan,	Moore,	Wilson,

Wise,
Wootten,

Wright of Floyd,
Wynne,

Young,

Those voting in the negative were Messrs.—

Berry,	Godley,	Mays,
Blackburn,	Guyton,	Parrish,
Brown of Carroll,	Hall,	Peterson,
Brown of Oglethorpe,	Harris,	Pope of Brooks,
Chamlee,	Haywood,	Rogers,
Clifton,	Heard,	Rountree,
Crawford,	Huff,	Slater,
Davison,	Johnson of Jasper,	Stewart,
Donalson,	Jones of Meriwether,	Stubbs,
Dunbar,	Keith,	Swilling,
Flannigan,	MacFarland,	Thorne,
Fullbright,	McIntyre,	Townsend,
Glenn,	McWilliams,	Warnell,

Those not voting were Messrs.—

Adams of Wilkinson,	Lumsden,	Russell,
Allen,	Lunsford,	Sheffield,
Anderson of Bulloch,	McCarthy,	Simmons,
Atwater,	Massengale,	Tift,
Boyd,	Maxwell,	White of Madison,
Burkhalter,	Mercer,	Whitley,
Crumbley,	Nix,	Wright of Richmond,
Culbreth,	Payton,	Mr. Speaker,
Howard,	Price of Oconee,	
Lee,	Reid of Wilcox,	

Ayes, 116. Nays, 39.

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 116, nays 39.

The bill having failed to receive the requisite Constitutional majority was lost.

The next bill for a third reading was as follows:

By Mr. Wise, of Fayette—

A bill to place a tax on near beer and similar beverages and to regulate the selling of same.

Mr. Wise moved that the House go into a committee of the whole for a consideration of the above bill and that the committee be instructed to report by not later than 12:30 o'clock.

The Speaker then resolved the House into a committee of the whole and designated as chairman Mr. Candler, of DeKalb.

After a consideration of the bill the Committee arose and through its chairman reported progress and asked leave to sit again.

Mr. Wise moved that the session be extended until the above bill be disposed of and on that motion Mr. Blackburn called for the ayes and nays which call was sustained and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Atkinson,	Candler,
Adkins,	Berry,	Clark,
Anderson of Cobb,	Bowen,	Cook of Chat'hoochee,
Ashley,	Purkhalter,	Cook of Telfair,

Cooke of Thomas,	Hill,	Price of Bartow,
Covington,	Holder,	Ryals,
Couch,	Huie,	Shaw,
Cowan,	Hullender,	Smith of Campbell,
Crawford,	Jackson,	Strickland,
Daniel,	Johnson of Jeff Davis	Sumner,
Davison,	Johnson of Towns,	Swilling,
Dean,	Jones of Mitchell,	Taylor of Appling,
Diekey,	Kendrick,	Thurman,
Duggan,	McIntyre,	Tracy,
Dykes,	McMahan,	Tyson,
Faves,	McMullan,	Walker of Lowndes,
Edwards,	McWilliams,	Walker of Wash'gton,
Ellison,	Massengale,	Ward,
Fagan,	Moore,	White of Screven,
Flanders,	Mundy,	Wilson,
Foster,	Orr,	Wise,
Fullbright,	Parker,	Wootten,
Furr,	Parrish,	Wright of Floyd,
Godley,	Perry,	Wynne,
Goode,	Persons,	Young,
Hamilton,	Pope of Dade,	

Those voting in the negative were Messrs.—

Adams of Elbert,	Calbeck,	Hall,
Adams of Wilkinson,	Callaway,	Hardeman,
Alexander,	Cannon,	Harris,
Anderson of Bulloch,	Chamlee,	Haywood,
Austin,	Clifton,	Heard,
Ballard,	Collum,	Hines,
Barksdale,	Davis	Hubbard,
Barrett,	Dunbar,	Huff,
Barrow,	Edmondson,	Johnson of Jasper,
Bell,	Estes,	Keith,
Blackburn,	Flannigan,	Kendall,
Bond,	Fowler,	Lively,
Boyd,	Fraser,	Matthews,
Brown of Carroll,	Geer,	MacFarland,
Brown of Oglethorpe,	Gibson,	McCarthy,
Buchannon,	Glenn,	Martin,
Eurwell,	Guyton,	Morris,

Peterson,	Slade,	Trent,
Pope of Brooks,	Smith of Calhoun,	Tuggle,
Powell,	Stephens,	Walker of Milton,
Rice of Oconee,	Stewart,	Warnell,
Reid of Macon,	Taylor of Sumter,	Watkins,
Reid of Putnam,	Terrell,	Williams,
Rogers,	Thorne,	
Russell,	Townsend,	

Those not voting were Messrs.—

Allen,	Lee,	Reid of Wilcox,
Arnold,	Lumsden,	Rountree,
Atwater,	Lunsford,	Sheffield,
Butt,	McMichael,	Simmons,
Crumbly,	Maxwell,	Slater,
Culbreth,	Mays,	Stubbs,
Donalson,	Mercer,	Tift,
Dorminy,	Nix,	White of Madison,
Frier,	Nowell,	Whitley,
Howard,	Odum,	Wright of Richmond,
Jones of Meriwether,	Payton,	Mr. Speaker,

Ayes, 76. Nays, 73.

The roll-call was verified and on counting the votes cast it was found that the ayes were 76, nays 73; the motion to extend the session therefore prevailed.

Mr. Blackburn moved that the House reconsider its action in extending the session and on that motion called for the ayes and nays which call was sustained and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Anderson of Bulloch,	Barrett,
Adams of Wilkinson,	Barksdale,	Bell,

Blackburn,	Gibson,	Morris,
Boyd,	Glenn,	Peterson,
Brown of Carroll,	Godley,	Powell,
Brown of Oglethorpe,	Guyton,	Reid of Macon,
Buchannon,	Hall,	Rountree,
Calbeck,	Harris,	Russell,
Clifton,	Heard,	Slade,
Davis,	Hines,	Slater,
Dunbar,	Hubbard,	Stephens,
Edmondson,	Huff,	Townsend,
Estes,	Johnson of Jasper,	Trent,
Fowler,	Matthews,	Tuggle,
Fraser,	MacFarland,	Wannell,
Geer,	McCarthy,	Watkins,

Those voting in the negative were Messrs.—

Adams of Chatham,	Davison,	Kendall,
Adkins,	Dean,	Kendrick,
Alexander,	Diekey,	Lively,
Anderson of Cobb,	Duggan,	McIntyre,
Ashley,	Dykes,	McMahan,
Atkinson,	Eaves,	McMullan,
Austin,	Edwards,	McWilliams,
Berry,	Ellison,	Martin,
Bond,	Fagan,	Massengale,
Bowen,	Flanders,	Moore,
Burkhalter,	Flannigan,	Mundy,
Burwell,	Foster,	Orr,
Candler,	Fullbright,	Parker,
Cannon,	Furr,	Parrish,
Chamlee,	Goode,	Perry,
Clark,	Hamilton,	Persons,
Collum,	Haywood,	Pope of Dade,
Cook of Chat'hoochee,	Hill,	Price of Bartow,
Cook of Telfair,	Holder,	Reid of Putnam,
Cooke of Thomas,	Huie,	Rogers,
Covington,	Hullender,	Ryals,
Couch,	Jackson,	Shaw,
Cowan,	Johnson of Jeff Davis	Smith of Campbell,
Crawford,	Johnson of Towns,	Strickland,
Daniel,	Jones of Mitchell,	Stubbs,

Sumner,	Tyson,	Wilson,
Swilling,	Walker of Lowndes,	Wise,
Taylor of Appling,	Walker of Milton,	Wootten,
Thorne,	Walker of Wash'gton,	Wright of Floyd,
Thurman,	Ward,	Wynne,
Tracy,	White of Screven,	Young,

Those not voting were Messrs.—

Allen,	Jones of Meriwether,	Price of Oconee,
Arnold,	Keith,	Reid of Wilcox,
Atwater,	Lee,	Sheffield,
Ballard,	Lumsden,	Simmons,
Barrow,	Lunsford,	Smith of Calhoun,
Butt,	McMichael,	Stewart,
Callaway,	Maxwell,	Taylor of Sumter,
Crumbley,	Mays,	Terrell,
Culbreth,	Mercer,	Tift,
Donalson,	Nix,	White of Madison,
Dorminy,	Nowell,	Whitley,
Frier,	Odum,	Williams,
Hardeman,	Payton,	Wright of Richmond,
Howard,	Pope of Brooks,	Mr. Speaker,

Ayes, 48. Nays, 93.

By unanimous consent the verification of the roll-call was dispensed with.

On the motion to reconsider the action of the House in extending the session the ayes were 48, nays 93, the motion was therefore lost.

Mr. Wise moved that the House again go into committee of the whole on the "near beer bill" and that the committee be instructed to make a final re-

port and a vote taken thereon not later than 1:30 o'clock which motion prevailed.

The House again went into a committee of the whole and Mr. Candler again took the chair.

After a further consideration of the bill the committee arose and through its chairman reported the bill back to the House with the recommendation that it do pass by substitute.

Mr. Dunbar called the previous question on the bill and pending amendments which call was sustained and the main question ordered.

The substitute proposed by the committee was agreed to.

The report of the committee which was favorable to the passage of the bill by substitute was agreed to.

On the passage of the bill the ayes and nays were ordered which was as follows:

Those voting in the affirmative were Messrs.—

Adkins,
Alexander,
Anderson of Cobb,
Atkinson,
Austin,
Barrett,
Berry,
Bond,

Bowen,
Brown of Carroll,
Burkhalter,
Burwell,
Candler,
Cannon,
Clark,
Collum,

Cook of Chat'hoochee,
Cook of Telfair,
Cooke of Thomas,
Covington,
Couch,
Cowan,
Crawford,
Daniel,

Davis	Hullender,	Shaw,
Davison,	Jackson,	Smith of Campbell,
Dean,	Johnson of Jeff Davis	Strickland,
Dickey,	Johnson of Towns,	Stubbs,
Duggan,	Jones of Mitchell,	Sumner,
Dykes,	Kendall,	Swilling,
Eaves,	Kendrick,	Taylor of Appling,
Edmondson,	Lively,	Thorne,
Edwards,	McIntyre,	Thurman,
Ellison,	McMahan,	Tracy,
Estes,	McMullan,	Trent,
Fagan,	McWilliams,	Tuggle,
Flanders,	Martin,	Tyson,
Flannigan,	Massengale,	Walker of Lowndes,
Foster,	Moore,	Walker of Milton,
Furr,	Mundy,	Walker of Wash'gton,
Gibson,	Orr,	Ward,
Godley,	Parker,	Watkins,
Goode,	Perry,	White of Screven,
Guyton,	Persons,	Wilson,
Hamilton,	Pope of Dade,	Wise,
Harris,	Price of Bartow,	Wootten,
Hill,	Reid of Macon,	Wright of Floyd,
Holder,	Rogers,	Wynne,
Huie,	Ryals,	Young,

Those voting in the negative were Messrs.—

Adams of Chatham,	Fraser,	McCarthy,
Anderson of Bulloch,	Fullbright,	Parrish,
Barrow,	Geer,	Peterson,
Bell,	Glenn,	Russell,
Blackburn,	Hall,	Slade,
Boyd,	Haywood,	Slater,
Buchannon,	Heard,	Smith of Calhoun,
Chamlee,	Hines,	Stewart,
Clifton,	Hubbard,	Taylor of Sumter
Dunbar,	Huff,	Townsend,
Fowler,	Johnson of Jasper,	

Those not voting were Messrs.—

Adams of Elbert, Adams of Wilkinson, Allen,

Arnold,	Keith,	Price of Oconee,
Ashley,	Lee,	Reid of Putnam,
Atwater,	Lumsden,	Reid of Wilcox,
Ballard,	Lunsford,	Rountrec,
Barksdale,	Matthews,	Sheffield,
Brown of Oglethorpe,	MacFarland,	Simmons,
Butt,	McMichael,	Stephens,
Calbeck,	Maxwell,	Terrell,
Callaway,	Mays,	Tift,
Crumbley,	Mercer,	Warnell,
Culbreth,	Morris,	White of Madison,
Donalson,	Nix,	Whitley,
Dorminy,	Nowell,	Williams,
Frier,	Odum,	Wright of Richmond,
Hardeman,	Payton,	Mr. Speaker,
Howard,	Pope of Brooks,	
Jones of Meriwether,	Powell,	

Ayes, 99. Nays, 32.

The roll-call was verified and on counting the votes cast it was found that the ayes were 99, nays 32, so the bill having received the requisite Constitutional majority was passed by substitute.

Leave of absence was granted Mr. Kendall.

The Speaker then announced the House adjourned until 10 o'clock tomorrow morning.

ATLANTA, GA.

THURSDAY, Sept. 3, 1908.

The House met pursuant to adjournment at 10 o'clock a. m., this day was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names.

Adams of Chatham,	Calbeck,	Edmondson,
Adams of Elbert,	Cailaway,	Edwards,
Adams of Wilkinson,	Candler,	Ellison,
Adkins,	Cannon,	Estes,
Alexander,	Chamlee,	Fagan,
Allen,	Clark,	Flanders,
Anderson of Bulloch,	Clifton,	Flannigan,
Anderson of Cobb,	Collum,	Foster,
Arnold,	Cook of Chat'hoochee,	Fowler,
Ashley,	Cook of Telfair,	Fraser,
Atkinson,	Cooke of Thomas,	Frier,
Austin,	Covington,	Fullbright,
Ballard,	Couch,	Furr,
Barksdale,	Cowan,	Geer,
Barrett,	Crawford,	Gibson,
Barrow,	Crumbley,	Glenn,
Bell,	Culbreth,	Godley,
Berry,	Daniel,	Goode,
Blackburn,	Davis,	Guyton,
Bond,	Davison,	Hall,
Bowen,	Dean,	Hamilton,
Boyd,	Dickey,	Hardeman,
Brown of Carroll,	Donalson,	Harris,
Brown of Oglethorpe,	Dorminy,	Haywood,
Buchannon,	Dunbar,	Heard,
Burkhalter,	Duggan,	Hill,
Burwell,	Dykes,	Hines,
Butt,	Eaves,	Holder,

Howard,	Mundy,	Stubbs,
Hubbard,	Nix,	Sumner,
Huff,	Nowell,	Swilling,
Huie,	Odum,	Taylor of Appling,
Hullender,	Orr,	Taylor of Sumter,
Jackson,	Parker,	Terrell,
Johnson of Jasper,	Parrish,	Thorne,
Johnson of Jeff Davis	Payton,	Thurman,
Johnson of Towns,	Perry,	Tift,
Jones of Meriwether,	Persons,	Townsend,
Jones of Mitchell,	Peterson,	Tracy,
Keith,	Pope of Brooks,	Trent,
Kendall,	Pope of Dade,	Tuggle,
Kendrick,	Powell,	Tyson,
Lee,	Price of Bartow,	Walker of Lowndes,
Lively,	Price of Oconee,	Walker of Milton,
Lumsden,	Reid of Macon,	Walker of Wash'gton,
Lunsford,	Reid of Putnam,	Ward,
Matthews,	Reid of Wilcox,	Warnell,
MacFarland,	Rogers,	Watkins,
McCarthy,	Rountree,	White of Madison,
McIntyre,	Russell,	White of Screven,
McMahan,	Ryals,	Whitley,
McMichael,	Shaw,	Williams,
McMullan,	Sheffield,	Wilson,
McWilliams,	Simmons,	Wise,
Martin,	Slade,	Wootten,
Massengale,	Slater,	Wright of Floyd,
Maxwell,	Smith of Calhoun,	Wynne,
Mays,	Smith of Campbell,	Young,
Mercer,	Stephens,	Mr. Speaker,
Moore,	Stewart,	
Morris,	Strickland,	

Those absent were Messrs.—

Atwater,

Wright of Richmond,

Mr. Wise, of Fayette, moved that House bill No. 4, known as the "near beer tax bill" be immediately transmitted to the Senate which motion prevailed.

The Journal of yesterday's proceedings was read and confirmed.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

Mr Speaker:

The Senate has passed by a requisite Constitutional majority the following bill of the Senate, to-wit:

A bill to provide for the disposition and working of felony convicts on public roads or other public works and for other purposes.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

Mr Speaker:

The Senate has passed by substitute by the requisite Constitutional majority the following House bill to-wit:

A bill to provide for future employment of felony and misdemeanor convicts upon the public roads.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

Mr Speaker:

The Senate has passed by the requisite Constitu-

tional majority the following House bill, to-wit:

A bill to provide for the establishment of children's courts.

On motion of Mr. Alexander, of DeKalb, House resolution No. 5, which is an amendment to the Constitution to prohibit the farming out of convicts, was tabled.

The following bills were read the third time and put upon passage, to-wit:

By Mr. Persons, of Monroe—

A bill to create a system of parole or conditional pardons of prisoners convicted for crime and for other purposes.

The previous question was called on bill and pending amendments and the main question ordered on motion of Mr. Blackburn, of Fulton.

The following amendments were adopted, to-wit:

By Mr. Wright, of Floyd—

To amend by adding after the word "Commission" at the end of line 8 of Section 1, the following words "The Governor shall report to the next session of the General Assembly every exercise of authority granted by this bill and the reasons thereof."

The Committee proposed the following amendments, which were adopted, to-wit:

By the Committee—

To amend Sec. 3, line 10, by striking the word “shall” and inserting the words “may be requested by said commission to,” also

To amend Sec. 3, lines 14 and 16 by striking the word “fresh,” also

To amend Sec. 4, line 2, by striking word “six” and inserting word “twelve,” also

To amend Sec. 1, line 14, by inserting after word “treason” and before “rape” the word “arson,” also

To amend Sec. 2, line 1, by adding after word “commission” and before word “shall” the following “with the approval of the Governor.”

The report of the committee which was favorable to the passage of the bill as amended was agreed to as amended.

On the passage of the bill the ayes were 133, nays 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Alexander, of DeKalb—

A resolution to appoint a commission to report on the use of convicts for extending the W. & A. R. R.

An appropriation being involved, the Speaker resolved the House into a committee of the whole, and designated as chairman, Mr. Fullbright, of Burke.

After a consideration of the bill the committee arose and reported the same back with the recommendation that the same do pass as amended.

The committee proposed to amend as follows:

To amend by adding after words “Two Thousand Dollars” in Sec. 2 the words “or so much thereof as may be necessary.”

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Barrow,	Callaway,
Adams of Wilkinson,	Bell,	Candler,
Adkins,	Bond,	Cannon,
Alexander,	Bowen,	Clifton,
Anderson of Bulloch,	Brown of Carroll,	Cook of Chat'hoochee,
Anderson of Cobb,	Brown of Oglethorpe,	Cook of Teifair,
Arnold,	Buchannon,	Cooke of Thomas,
Atkinson,	Burkhalter,	Covington,
Ballard,	Butt,	Couch,
Barksdale,	Calbeck,	Cowan,

Crawford,	Johnson of Jeff Davis	Rogers,
Daniel,	Johnson of Towns,	Rountree,
Davison,	Jones of Mitchell,	Slade,
Dickey,	Kendrick,	Slater,
Duggan,	Lively,	Smith of Campbell,
Eaves,	Matthews,	Stephens,
Edwards,	MacFarland,	Strickland,
Ellison,	McIntyre,	Stubbs,
Estes,	McMichael,	Sumner,
Fagan,	McMullan,	Swilling,
Flanders,	McWilliams,	Taylor of Appling,
Foster,	Martin,	Taylor of Sumter,
Fraser,	Massengale,	Thorne,
Frier,	Mays,	Tracy,
Geer,	Moore,	Trent,
Gibson,	Morris,	Tyson,
Goode,	Mundy,	Walker of Milton,
Guyton,	Nowell,	Walker of Wash'gton,
Hamilton,	Orr,	Ward,
Hardeman,	Perry,	Watkins,
Harris,	Persons,	White of Screven,
Haywood,	Peterson,	Whitley,
Hines,	Pope of Brooks,	Williams,
Holder,	Pope of Dade,	Wootten,
Huie,	Price of Bartow,	Wright of Floyd,
Hullender,	Price of Oconee,	Young,
Jackson,	Reid of Putnam,	

Those voting in the negative were Messrs.—

Ashley,	Hall,	Powell,
Austin,	Heard,	Reid of Macon,
Barrett,	Hill,	Ryals,
Chamlee,	Huff,	Smith of Calhoun,
Collum,	Johnson of Jasper,	Stewart,
Davis,	Keith,	Terrell,
Dunbar,	Lumsden,	Tuggle,
Edmondson,	McMahan,	Warnell,
Flannigan,	Mercer,	Wilson,
Fullbright,	Nix,	Wynne,
Glenn,	Parrish,	

Those not voting were Messrs.—

Adams of Chatham,	Fowler,	Reid of Wilcox,
Allen,	Furr,	Russell,
Atwater,	Godley,	Shaw,
Berry,	Howard,	Sheffield,
Blackburn,	Hubbard,	Simmons,
Boyd,	Jones of Meriwether,	Thurman,
Burwell,	Kendall,	Tift,
Clark,	Lee,	Townsend,
Crumbley,	Lunsford,	Walker of Lowndes,
Culbreth,	McCarthy,	White of Madison,
Dean,	Maxwell,	Wise,
Donalson,	Odum,	Wright of Richmond,
Dorminy,	Parker,	Mr. Speaker,
Dykes,	Payton,	

Ayes, 110. Nays, 32.

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 110, nays 32.

The bill having received the requisite Constitutional majority was passed as amended.

On motion of Mr. Alexander, of DeKalb, House bill No. 8, known as a bill to dispose of the felony convicts of the State after March 31, 1909, was tabled.

On motion of Mr. Holder, of Jackson, the following House bill was taken up for the purpose of disagreeing to the Senate substitute, to-wit:

By Mr. Holder, of Jackson—

A bill to provide for the future employment of felony and misdemeanor male convicts upon the public roads of the several counties of this State and for other purposes.

The Senate proposed a substitute for the above bill but before the same could be acted upon Mr. Perry moved that the House adjourn until 3 o'clock this afternoon.

Mr. Perry withdrew his motion to adjourn, and Mr. Wright, of Floyd, moved that a committee of five be appointed to examine into the question whether a bill to raise revenue and appropriate money can originate in the Senate and to report not later than three o'clock this afternoon which motion prevailed. Mr. Wright then arose and requested not to be made a member of the committee.

The Speaker appointed as such committee:

Messrs. Perry, Hall, Wise, Alexander and Dean.

Mr. Wright, of Floyd, then moved to adjourn which motion prevailed and the Speaker announced the House adjourned until 3 o'clock this afternoon.

ATLANTA, GA.

3 o'clock, p. m.

The House reconvened at this hour and was called to order by the Speaker.

The roll was called and the following members answered to their names:

Adams of Chatham,	Callaway,	Ellison,
Adams of Elbert,	Candler,	Estes,
Adams of Wilkinson,	Cannon,	Fagan,
Adkins,	Chamlee,	Flanders,
Alexander,	Clark,	Flannigan,
Allen,	Clifton,	Foster,
Anderson of Bulloch,	Collum,	Fowler,
Anderson of Cobb,	Cook of Chat'hoochee,	Fraser,
Arnold,	Cook of Telfair,	Frier,
Ashley,	Cooke of Thomas,	Fullbright,
Atkinson,	Covington,	Furr,
Austin,	Couch,	Geer,
Ballard,	Cowan,	Gibson,
Barksdale,	Crawford,	Glenn,
Barrett,	Crumbley,	Godley,
Barrow,	Culbreth,	Goode,
Bell,	Daniel,	Guyton,
Berry,	Davis,	Hall,
Blackburn,	Davison,	Hamilton,
Bond,	Dean,	Hardeman,
Bowen,	Diekey,	Harris,
Boyd,	Donalson,	Haywood,
Brown of Carroll,	Dorminy,	Heard,
Brown of Oglethorpe,	Dunbar,	Hill,
Buchannon,	Duggan,	Hines,
Burkhalter,	Dykes,	Holder,
Burwell,	Eaves,	Howard,
Butt,	Edmondson,	Hubbard,
Calbeck,	Edwards,	Huff,

Huie,	Nowell,	Sumner,
Hullender,	Odum,	Swilling,
Jackson,	Orr,	Taylor of Appling,
Johnson of Jasper,	Parker,	Taylor of Sumter,
Johnson of Jeff Davis,	Parrish,	Terrell,
Johnson of Towns,	Payton,	Thorne,
Jones of Meriwether,	Perry,	Thurman,
Jones of Mitchell,	Persons,	Tift,
Keith,	Peterson,	Townsend,
Kendall,	Pope of Brooks,	Tracy,
Kendrick,	Pope of Dade,	Trent,
Lee,	Powell,	Tuggle,
Lively,	Price of Bartow,	Tyson,
Lumsden,	Price of Oconee,	Walker of Lowndes,
Lunsford,	Reid of Macon,	Walker of Milton,
Matthews,	Reid of Putnam,	Walker of Wash'gton,
MacFarland,	Reid of Wilcox,	Ward,
McCarthy,	Rogers,	Warnell,
McIntyre,	Rountree,	Watkins,
McMahan,	Russell,	White of Madison,
McMichael,	Ryals,	White of Screven,
McMullan,	Shaw,	Whitley,
McWilliams,	Sheffield,	Williams,
Martin,	Simmons,	Wilson,
Massengale,	Slade,	Wise,
Maxwell,	Slater,	Wootten,
Mays,	Smith of Calhoun,	Wright of Floyd,
Mercer,	Smith of Campbell,	Wynne,
Moore,	Stephens,	Young,
Morris,	Stewart,	Mr. Speaker,
Mundy,	Strickland,	
Nix,	Stubbs,	

Those absent were Messrs.—

Atwater,

Wright of Richmond,

The following resolution was read and unanimously adopted, to-wit:

By Mr. Slaton, of Fulton—

Providing that the House excuse the absence of

Hon. R. O. Barksdale in view of the information received of the arrival of Miss Hermione Barksdale at his home to whom the best wishes of the House are extended.

Mr. Perry, chairman of the committee to consider the question whether a bill to raise revenue and appropriate money can originate in the Senate submitted the following report:

Mr Speaker:

The special committee appointed to consider the Constitutional question whether certain provisions in the Senate substitute to House bill No. 1 are obnoxious to that provision of the Constitution providing that all bills for raising revenue or appropriating money shall originate in the house, beg to report that the majority of the Committee filed as follows:

1. That the Section of the substitute levying a tax on imitations of beer is in a sense a revenue bill but not obnoxious to said Section of the Constitution because it is only incidental to the purpose of the law.

The committee recommends out of abundance of caution the said Section be stricken.

2. That the Section providing for the disposition of certain money arising from the lease of the hire of convicts after this date is an appropriate measure

which can not originate in the Senate as it provides that the disposition of the same shall be made after it goes into the treasury and that the House bill does not carry an appropriation so as to allow it to be amended in the Senate by the Section of the substitute referred to.

H. H. PERRY, Chairman.

Mr. Parker, chairman of the Committee on Enrollment submitted the following report.

Mr Speaker:

The Enrollment Committee have examined and report as properly enrolled, duly signed and ready for delivery to the Governor the following Act of the house to wit:

An Act, To provide for the establishment of children's courts, and for other purposes.

Upon the request of the Speaker the House took a recess for 15 minutes.

At the expiration of fifteen minutes the House was again called to order by the Speaker.

The following resolution was read and referred to the Committee on Privileges of the floor, to-wit:

By Mr. McMichael, of Marion—

A resolution extending the privileges of the floor to Hon. W W Brandon.

The following bill which was brought over from this morning's session was again taken up for the purpose of disagreeing to the substitute offered by the Senate, to-wit:

By Mr. Holder, of Jackson—

A bill to provide for future employment of felony and misdemeanor male convicts upon the public roads of this State, and for other purposes.

Mr. Clifton, chairman of Committee on Privileges of floor submitted the following report.

Mr Speaker:

Your Committee on the Privileges of floor have had under consideration the following resolution of the House and instructed me, as their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A resolution, That the privileges of the floor be extended to Hon. W W Brandon, State Auditor of Alabama, during his stay in the city.

Respectfully submitted,

PETER CLIFTON, Chairman.

On motion of Mr. Alexander 250 copies of the Senate substitute to House bill No. 1, known as the Holder bill and all pending amendments thereto including the substitute offered by Mr. Candler were ordered printed for the use of the House.

The Speaker announced that he would hold that the House was now acting under the following resolution which was adopted prior to taking original action on House bill No. 1.

By Mr. Hall—

A resolution fixing the sessions of the House from 9 a. m. to 1 p. m. and from 3 p. m. to 5 p. m. during the consideration of House bill No. 1.

Pending to the reading of amendments to the Senate substitute to House bill No. 1, the hour of adjournment arrived and the Speaker announced the House adjourned until 9 o'clock tomorrow morning.

ATLANTA, GA.

FRIDAY, SEPT. 4, 1908.

The House met pursuant to adjournment at 9 o'clock a. m. this day was called to order by the Speaker and opened with prayer by Rev. R. F. Eakes.

The roll was called and the following members answered to their names.

Adams of Chatham,	Butt,	Dykes,
Adams of Elbert,	Calbeck,	Eaves,
Adams of Wilkinson,	Callaway,	Edmondson,
Adkins,	Candler,	Edwards,
Alexander,	Cannon,	Ellison,
Allen,	Chamlee,	Estes,
Anderson of Bulloch,	Clark,	Fagan,
Anderson of Cobb,	Clifton,	Flanders,
Arnold,	Collum,	Flannigan,
Ashley,	Cook of Chat'hoochee,	Foster,
Atkinson,	Cook of Telfair,	Fowler,
Austin,	Cooke of Thomas,	Fraser,
Ballard,	Covington,	Frier,
Barksdale,	Couch,	Fullbright,
Barrett,	Cowan,	Furr,
Barrow,	Crawford,	Geer,
Bell,	Crumbley,	Gibson,
Berry,	Culbreth,	Glenn,
Blackburn,	Daniel,	Godley,
Bond,	Davis,	Goode,
Bowen,	Davison,	Guyton,
Boyd,	Dean,	Hall,
Brown of Carroll,	Dickey,	Hamilton,
Brown of Oglethorpe,	Donalson,	Hardeman,
Buchannon,	Dorminy,	Harris,
Burkhalter,	Dunbar,	Haywood,
Burwell,	Duggan,	Heard,

Hill,	Moore,	Strickland,
Hines,	Morris,	Stubbs,
Holder,	Mundy,	Sumner,
Howard,	Nix,	Swilling,
Hubbard,	Nowell,	Taylor of Appling,
Huff,	Odum,	Taylor of Sumter,
Huie,	Orr,	Terrell,
Hullender,	Parker,	Thorne,
Jackson,	Parrish,	Thurman,
Johnson of Jasper,	Payton,	Tift,
Johnson of Jeff Davis,	Perry,	Townsend,
Johnson of Towns,	Persons,	Tracy,
Jones of Meriwether,	Peterson,	Trent,
Jones of Mitchell,	Pope of Brooks,	Tuggle,
Keith,	Pope of Dade,	Tyson,
Kendall,	Powell,	Walker of Lowndes,
Kendrick,	Price of Bartow,	Walker of Milton,
Lee,	Price of Oconee,	Walker of Wash'gton,
Lively,	Reid of Macon,	Ward,
Lumsden,	Reid of Putnam,	Warnell,
Lunsford,	Reid of Wilcox,	Watkins,
Matthews,	Rogers,	White of Madison,
MacFarland,	Rountree,	White of Screven,
McCarthy,	Russell,	Whitley,
McIntyre,	Ryals,	Williams,
McMahan,	Shaw,	Wilson,
McMichael,	Sheffield,	Wise,
McMullan,	Simmons,	Wootten,
McWilliams,	Slade,	Wright of Floyd,
Martin,	Siater,	Wynne,
Massengale,	Smith of Calhoun,	Young,
Maxwell,	Smith of Campbell,	Mr. Speaker,
Mays,	Stephens,	
Mereer,	Stewart,	

Those absent were Messrs.—

Atwater,

Wright of Richmond.

On motion of Mr. Wright, of Floyd, the reading of the Journal of yesterday's proceedings was dispensed with.

Under the head of unfinished business the following bill was again taken up for the purpose of disagreeing to the Senate substitute, to-wit:

By Mr. Holder, of Jackson—

A bill to provide for the future employment of felony and misdemeanor male convicts upon the public roads of the several counties of this State and for other purposes.

Mr. Holder moved that the rules of the House be suspended and that the motion to disagree to the Senate substitute to the above bill be first considered which motion was lost.

Mr. Tyson, of Emanuel called for the previous question on the substitute and pending amendments which call was sustained and the main question ordered.

The following amendments proposed to the Senate substitute were read, to-wit:

Mr. Wright, of Floyd, offered the following amendment to the Senate substitute: Amend by striking Section of Senate substitute 14, and inserting in lieu thereof eight Sections, to be numbered Sections 14, 15, 16, 17, 18, 19, 20, 21, as follows:

SEC. 14. Be it further enacted, That from and after the passage of this Act, every person, firm or corporation manufacturing within the limits of this State any beverage or drink or liquor in imi-

tation of, or intended as a substitute for beer, ale, wine, whiskey, or other alcoholic, spirituous or malt liquor, shall obtain a license so to do from the ordinary of the county wherein such business is carried on, and shall pay therefor the sum of five hundred dollars for each calendar year or part thereof.

SEC. 15. Be it further enacted, That every person, firm or corporation, who shall maintain a supply depot, warehouse, distributing offices, or other places of business within the limits of this State, where such substitute beer, ales, drinks or liquors, as are referred to in the fourteenth Section of this Act, are kept for sale or distribution, in wholesale quantities—that is to say, in quantities of more than five gallons—shall obtain a license so to do from the ordinary of the county wherein such depot or other place is kept, and shall pay therefor the sum of five hundred dollars for each calendar year or part thereof.

SEC. 16. Be it further enacted, That every person, firm or corporation, who shall sell or offer for sale in quantities less than five gallons any such beverages, drinks or liquors as are referred to in the fourteenth Section of this Act, shall obtain a license so to do from the ordinary of the county wherein the business is carried on, and shall pay therefor the sum of two hundred dollars for each calendar year or part thereof.

SEC. 17 Be it further enacted, That no person

whomsoever, shall be exempt from the duty of obtaining such licenses and paying said license fees required in the 14th, 15th and 16th Sections of this Act, and that nothing contained in this Act shall ever be held, taken or construed to authorize the sale or manufacture of any beverage, drink or liquor now prohibited by law

SEC. 18. Be it further enacted, That all such imitations of, or substitutes for, beer, ale, wine, whiskey or other alcoholic, malt or spirituous liquors sold in any such place, shall have stamped plainly on the vessel containing such liquid, the name of the manufacturer thereof.

SEC. 19. Be it further enacted, That all moneys collected under the provisions of this Act, shall be accounted for and paid over to the treasury of the State, to be there held, as a special fund to be used only in the development and conduct of the penitentiary system of the State, and to buy such farms, lands, road equipment or other properties, as may be needed in connection therewith, or in connection with the management, control and employment of convicts. And the same shall never be construed to be referred to by any appropriation Act, which does not expressly so provide, but all funds collected under this Act are hereby appropriated to the purposes and uses in this Section named, and are hereby made subject to disbursement on the warrant of the Governor for such purposes.

SEC. 20. Be it further enacted, That any person who shall carry on any such business named in the 14th, 15th and 16th Sections of this Act, without having first obtained the license or licenses in this Act required, and paid therefor as provided for by this Act, shall be guilty of a misdemeanor, and punished accordingly.

SEC. 21. Be it further enacted, That any person, who shall sell or furnish, keep or give away under color of the license herein required, any liquor, drink or beverage prohibited by law, shall in addition to any penalty for which he may be liable, to forfeit said license and be disqualified from again holding such license.

On the adoption of the above amendment Mr. Wright, of Floyd, called for the ayes and nays which call was sustained, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adkins,	Butt,	Dean,
Alexander,	Callaway,	Dickey,
Anderson of Cobb,	Clifton,	Duggan,
Atkinson,	Cook of Chat'hoochee,	Dykes,
Austin,	Cook of Telfair,	Edwards,
Ballard,	Cooke of Thomas,	Ellison,
Barrett,	Covington,	Estes,
Berry,	Couch,	Fagan,
Bond,	Cowan,	Flanders,
Bowen,	Crawford,	Furr,
Buchannon,	Daniel,	Gibson,
Burkhalter,	Davison,	Godley,

Goode,	Massengale,	Swilling,
Guyton,	Moore,	Taylor of Appling,
Hamilton,	Mundy,	Thurman,
Hardeman,	Orr,	Tracy,
Hill,	Perry,	Trent,
Holder,	Persons,	Tyson,
Huie,	Peterson,	Walker of Milton,
Hullender,	Pope of Brooks,	Walker of Wash'gton,
Jackson,	Pope of Dade,	Ward,
Johnson of Towns,	Price of Bartow,	White of Screven,
Jones of Mitchell,	Reid of Putnam,	Whitley,
Kendall,	Rogers,	Williams,
Kendrick,	Rountree,	Wilson,
McIntyre,	Shaw,	Wise,
McMahan,	Sheffield,	Wright of Floyd,
McMichael,	Smith of Campbell,	Wynne,
McMullan,	Strickland,	Young,
McWilliams,	Stubbs,	
Martin,	Sumner,	

Those voting in the negative were Messrs.—

Adams of Elbert,	Fowler,	Mercer,
Adams of Wilkinson,	Fullbright,	Morris,
Allen,	Geer	Nix,
Anderson of Bulloch,	Glenn,	Nowell,
Arnold,	Hall,	Odum,
Barksdale,	Harris,	Parrish,
Bell,	Haywood,	Powell,
Blackburn,	Heard,	Price of Oconee,
Brown of Carroll,	Hines,	Reid of Macon,
Brown of Oglethorpe,	Hubbard,	Russell,
Calbeck,	Huff,	Ryals,
Candler,	Johnson of Jeff Davis	Slade,
Cannon,	Jones of Meriwether,	Slater,
Chamlee,	Keith,	Stephens,
Clark,	Lee,	Stewart,
Collum,	Lumsden,	Taylor of Sumter,
Davis	Matthews,	Thorne,
Donalson,	MacFarland,	Tuggle,
Dunbar,	McCarthy,	Walker of Lowndes,
Faves,	Maxwell,	Watkins,
Flannigan,	Mays,	

Those not voting were Messrs.—

Adams of Chatham,	Foster,	Simmons,
Ashley,	Fraser,	Smith of Calhoun,
Atwater,	Frier,	Terrell,
Barrow,	Howard,	Tift,
Boyd,	Johnson of Jasper,	Townsend,
Burwell,	Lively,	Warnell,
Crumbley,	Lunsford,	White of Madison,
Culbreth,	Parker,	Wootten,
Dorminy,	Payton,	Wright of Richmond,
Edmondson,	Reid of Wilcox,	Mr. Speaker,

Ayes, 91. Nays, 62.

By unanimous consent the verification of the roll call was dispensed with.

On the adoption of the amendment the ayes were 91, nays 62.

The amendment was therefore adopted.

Mr. Holder's motion to disagree to the Senate substitute was then put to the House and carried, and the substitute was disagreed to.

The Speaker asked the unanimous consent of the House that the Hall resolution regulating the sessions of the House during the consideration of the Holder convict bill (House bill No. 1) apply this afternoon and that when the House adjourn it adjourn to meet at 3 o'clock p. m. which was granted.

On motion of Mr. Hall, of Bibb, the House took a recess subject to the call of the Speaker.

The House was again called to order by the Speaker.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

Mr. Speaker:

The Senate refuses to recede from its action in adopting its substitute to the following House bill, to-wit:

House bill No. 1. A bill to provide for the future employment of felony and misdemeanor convicts.

Mr. Holder moved that the Senate be requested to appoint a conference committee and that the Speaker appoint a like Committee of the House to confer with said Committee of the Senate on House bill No. 1. The motion prevailed.

The Speaker appointed as Conference Committee on part of the House, on House bill No. 1, Messrs. Holder, of Jackson, Jones, of Meriwether, and Price, of Oconee.

On motion of Mr. Hall, the House took a recess subject to the call of the Speaker.

The Speaker again called the House to order.

Mr. Price, of Oconee, asked to be excused from serving on the above conference committee on account of physical disabilities which was granted and the Speaker appointed to fill the vacancy Mr. Dunbar, of Richmond.

The House again took a recess subject to the call of the Speaker.

The House was again called to order by the Speaker.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

Mr Speaker:

The Senate insists on its substitute to House bill No. 1, and refuses to appoint a conference committee.

The Senate having notified the House by message that that body had refused to appoint a committee of conference on House bill No. 1, Mr. Holder moved that the House refuse to recede from its disagreement to the Senate substitute which motion prevailed.

Mr. Holder, of Jackson, moved to adjourn which motion prevailed.

Leave of absence was granted Mr. Warnell, Mr. Wootten, Mr. Duggan and Mr. Reid, of Wilcox.

The Speaker then announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

The roll was called and the following members answered to their names.

Adams of Chatham,	Calbeck,	Edmondson,
Adams of Elbert,	Callaway,	Edwards,
Adams of Wilkinson,	Candler,	Ellison,
Adkins,	Cannon,	Estes,
Alexander,	Chamlee,	Fagan,
Allen,	Clark,	Flanders,
Anderson of Bulloch,	Clifton,	Flannigan,
Anderson of Cobb,	Collum,	Foster,
Arnold,	Cook of Chat'hoochee,	Fowler,
Ashley,	Cook of Telfair,	Fraser,
Atkinson,	Cooke of Thomas,	Frier,
Austin,	Covington,	Fullbright,
Ballard,	Couch,	Furr,
Barksdale,	Cowan,	Geer,
Barrett,	Crawford,	Gibson,
Barrow,	Crumbley,	Glenn,
Bell,	Culbreth,	Godley,
Berry,	Daniel,	Goode,
Blackburn,	Davis,	Guyton,
Bond,	Davison,	Hall,
Bowen,	Dean,	Hamilton,
Boyd,	Dickey,	Hardeman,
Brown of Carroll,	Donalson,	Harris,
Brown of Oglethorpe,	Dorminy,	Haywood,
Buchannon,	Dunbar,	Heard,
Burkhalter,	Duggan,	Hill,
Burwell,	Dykes,	Hines,
Butt,	Eaves,	Holder,

Howard,	Mundy,	Stubbs,
Hubbard,	Nix,	Sumner,
Huff,	Nowell,	Swilling,
Huie,	Odum,	Taylor of Appling,
Hullender,	Orr,	Taylor of Sumter,
Jackson,	Parker,	Terrell,
Johnson of Jasper,	Parrish,	Thorne,
Johnson of Jeff Davis	Payton,	Thurman,
Johnson of Towns,	Perry,	Tift,
Jones of Meriwether,	Persons,	Townsend,
Jones of Mitchell,	Peterson,	Tracy,
Keith,	Pope of Brooks,	Trent,
Kendall,	Pope of Dade,	Tuggle,
Kendrick,	Powell,	Tyson,
Lee,	Price of Bartow,	Walker of Lowndes,
Lively,	Price of Oconee,	Walker of Milton,
Lumsden,	Reid of Macon,	Walker of Wash'gton,
Lunsford,	Reid of Putnam,	Ward,
Matthews,	Reid of Wilcox,	Warnell,
MacFarland,	Rogers,	Watkins,
McCarthy,	Rountree,	White of Madison,
McIntyre,	Russell,	White of Screven,
McMahan,	Ryals,	Whitley,
McMichael,	Shaw,	Williams,
McMullan,	Sheffield,	Wilson,
McWilliams,	Simmons,	Wise,
Martin,	Slade,	Wootten,
Massengale,	Slater,	Wright of Richmond,
Maxwell,	Smith of Calhoun,	Wynne,
Mays,	Smith of Campbell,	Young,
Mercer,	Stephens,	Mr. Speaker,
Moore,	Stewart,	
Morris,	Strickland,	

Those absent were Messrs.—

Atwater,

Wright of Floyd,

The following resolution was read, to-wit:
By Mr. Wright, of Floyd—

A resolution providing that the Speaker appoint

a Committee of seven members of the House, representing as far as possible, the different convict bills and substitutes. That the Senate be requested to appoint a similar committee. That the committees so named report their conclusions to the House and Senate tomorrow morning at 9 o'clock.

On the adoption of the above amendment Mr. Wright, of Floyd, called for the ayes and nays which call was sustained and the vote was as follows:

Those voting in the affirmative were Messrs.—

Alexander,	Furr,	Sheffield,
Anderson of Cobb,	Gibson,	Smith of Calhoun,
Atkinson,	Hamilton,	Smith of Campbell,
Ballard,	Haywood,	Strickland,
Candler,	Huie,	Swilling,
Clark,	Jackson,	Taylor of Appling,
Cook of Telfair,	Jones of Mitchell,	Thurman,
Cooke of Thomas,	McIntyre,	Tracy,
Covington,	McMullan,	Walker of Milton,
Cowan,	Massengale,	White of Screven,
Daniel,	Moore,	Whitley,
Dean,	Orr,	Williams,
Duggan,	Parker,	Wootten,
Dykes,	Perry,	Wright of Floyd,
Edwards,	Reid of Putnam,	Young,

Those voting in the negative were Messrs.—

Adams of Elbert,	Ashley,	Bell,
Adkins,	Austin,	Berry,
Allen,	Barksdale,	Blackburn,
Anderson of Bulloch,	Barrett,	Bond,
Arnold,	Barrow,	Brown of Carroll,

Brown of Oglethorpe,	Goode,	Peterson,
Buchannon,	Guyton,	Pope of Brooks,
Burkhalter,	Hall,	Pope of Dade,
Burwell,	Harris,	Powell,
Butt,	Heard,	Price of Bartow,
Calbeck,	Hines,	Reid of Macon,
Callaway,	Holder,	Rogers,
Cannon,	Hubbard,	Rountree,
Clifton,	Huff,	Russell,
Collum,	Hullender,	Ryals,
Cook of Chat'hoochee,	Johnson of Jeff Davis	Slade,
Couch,	Johnson of Towns,	Stephens,
Crawford,	Jones of Meriwether,	Stewart,
Culbreth,	Kendall,	Stubbs,
Davis	Kendrick,	Sumner,
Davison,	Lee,	Taylor of Sumter,
Dickey,	Lively,	Terrell,
Eaves,	Lumsden,	Thorne,
Edmondson,	MacFarland,	Townsend,
Ellison,	McCarthy,	Trent,
Estes,	McMahan,	Tuggle,
Fagan,	McWilliams,	Tyson,
Flanders,	Martin,	Walker of Lowndes,
Flannigan,	Mays,	Walker of Wash'gton,
Fowler,	Morris,	Ward,
Frier,	Mundy,	Watkins,
Fullbright,	Nix,	Wilson,
Geer,	Nowell,	Wise,
Glenn,	Odum,	Wynne,
Godley,	Parrish,	

Those not voting were Messrs.—

Adams of Chatham,	Dunbar,	Matthews,
Adams of Wilkinson,	Foster,	McMichael,
Atwater,	Fraser,	Maxwell,
Bowen,	Hardeman,	Mercer,
Boyd,	Hill,	Payton,
Chamlee,	Howard,	Persons,
Crumbley,	Johnson of Jasper,	Price of Oconee,
Denalson,	Keith,	Reid of Wilcox,
Dorminy,	Lunsford,	Shaw,

Simmons,
Slater,
Tift,

Warnell,
White of Madison,
Wright of Richmond,

Mr. Speaker,

Ayes, 45. Nays, 104.

The roll-call was verified and on counting the votes cast it was found that the ayes were 45, nays 104; the resolution was therefore lost.

The following resolution was read and adopted to-wit:

By Mr. Barrow, of Chatham—

Resolved that the Senate be notified that the committee of three members of the House appointed by the Speaker for the purpose of conferring with a Committee of the Senate have not been discharged and are ready to meet a Committee from the Senate.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

Mr. Speaker:

The Senate has adopted the following resolution which I am instructed to transmit to the House, to-wit:

A resolution informing the House upon what conditions the Senate will agree to a Conference Committee of the two houses upon House bill No. 1, and substitute thereto.

The following Senate resolution was read:

By Mr. Williford—

A resolution informing the House upon what conditions the Senate will agree to a Committee of Conference of the two Houses upon House bill No. 1, and the substitute thereto proposed by the Senate.

On motion of Mr. Hall, of Bibb, the House took a recess subject to the call of the Speaker.

The House was again called to order by the Speaker.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

Mr. Speaker:

The Senate has agreed to the appointment of an uninstructed Conference Committee upon House bill No. 1, known as the Holder bill and substitute and has appointed the following as said committee to wit:

Messrs. Martin, Peacock and Felder.

The Speaker asked if there was objection to the resolution of Mr. Hall, of Bibb, to regulate the sessions of the House during the consideration of House bill No. 1, being considered of force during

the remainder of the session. There was none and it was so considered.

Leave of absence was granted Mr. Furr.

On motion of Mr. Hall the Speaker announced the House adjourned until 9 o'clock tomorrow morning.

ATLANTA, GA.,

SATURDAY, Sept. 5, 1908.

The House met pursuant to adjournment at 9 o'clock a. m., this day was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Calbeck,	Edmondson,
Adams of Elbert,	Callaway,	Edwards,
Adams of Wilkinson,	Candler,	Ellison,
Adkins,	Cannon,	Estes,
Alexander,	Chamlee,	Fagan,
Allen,	Clark,	Flanders,
Anderson of Bulloch,	Clifton,	Flannigan,
Anderson of Cobb,	Collum,	Foster,
Arnold,	Cook of Chat'hoochee,	Fowler,
Ashley,	Cook of Telfair,	Fraser,
Atkinson,	Cooke of Thomas,	Frier,
Austin,	Covington,	Fullbright,
Ballard,	Couch,	Furr,
Barksdale,	Cowan,	Geer,
Barrett,	Crawford,	Gibson,
Barrow,	Crumbley,	Glenn,
Bell,	Culbreth,	Godley,
Berry,	Daniel,	Goode,
Blackburn,	Davis,	Guyton,
Bond,	Davison,	Hall,
Bowen,	Dean,	Hamilton,
Boyd,	Dickey,	Hardeman,
Brown of Carroll,	Donalson,	Harris,
Brown of Oglethorpe,	Dorminy,	Haywood,
Buchannon,	Dunbar,	Heard,
Burkhalter,	Duggan,	Hill,
Burwell,	Dykes,	Hines,
Butt,	Eaves,	Holder,

Howard,	Mundy,	Stubbs,
Hubbard,	Nix,	Sumner,
Huff,	Nowell,	Swilling,
Huie,	Odum,	Taylor of Appling,
Hullender,	Orr,	Taylor of Sumter,
Jackson,	Parker,	Terrell,
Johnson of Jasper,	Parrish,	Thorne,
Johnson of Jeff Davis	Payton,	Thurman,
Johnson of Towns,	Perry,	Tift,
Jones of Meriwether,	Persons,	Townsend,
Jones of Mitchell,	Peterson,	Tracy,
Keith,	Pope of Brooks,	Trent,
Kendall,	Pope of Dade,	Tuggle,
Kendrick,	Powell,	Tyson,
Lee,	Price of Bartow,	Walker of Lowndes,
Lively,	Price of Oconee,	Walker of Milton,
Lumsden,	Reid of Macon,	Walker of Washington,
Lunsford,	Reid of Putnam,	Ward,
Matthews,	Reid of Wilcox,	Warnell,
MacFarland,	Rogers,	Watkins,
McCartny,	Rountree,	White of Madison,
McIntyre,	Russell,	White of Screven,
McMahan,	Ryals,	Whitley,
McMichael,	Shaw,	Williams,
McMullan,	Sheffield,	Wilson,
McWilliams,	Simmons,	Wise,
Martin,	Slade,	Wooten,
Massengale,	Slater,	Wright of Floyd,
Maxwell,	Smith of Calhoun,	Wynne,
Mays,	Smith of Campbell,	Young,
Mercer,	Stephens,	Mr. Speaker,
Moore,	Stewart,	
Morris,	Strickland,	

Those absent were Messrs.—

Atwater,

Wright of Richmond,

The Journal of yesterday's proceedings was read and confirmed.

Mr. Holder, of Jackson, of the Committee of Con-

ference, to confer with a like committee of the Senate on House bill No. 1, known as the "Holder Convict Bill," reported that the Committee met on yesterday afternoon but had not come to any agreement. He stated that the Committee would again meet at once this morning and would report to the House as soon as possible.

On motion of Mr. Brown, of Carroll, the House took a recess subject to the call of the Speaker.

The House was again called to order by the Speaker.

Mr. Holder, Chairman of the Conference Committee on House bill No. 1, submitted the following report:

Mr Speaker:

The Conference Committee appointed on House bill No. 1, met with a Conference Committee from the Senate and beg leave to report that they are unable to agree and requests the appointment of another Committee.

JNO. N. HOLDER, Chairman House Committee.

On motion of Mr. Holder, Conference Committee No. 1, on House bill No. 1, known as the Holder Convict Bill, was discharged and the Speaker was requested to appoint a new Committee on Conference

On motion of Mr. Hall, the Senate was notified of the above action of the House.

The Speaker appointed as Conference Committee No. 2, on the "Holder Convict Bill" Messrs. Hall, of Bibb; Wise, of Fayette; Slater, of Bryan.

On motion of Mr. Alexander. House bill No. 8 was taken from the table and placed on the calendar.

On motion of Mr. Tyson, of Emanuel, the House took a recess subject to the call of the Speaker.

The House was again called to order by the Speaker.

The following message was received from the Senate through Mr. Northen, the Secretary thereof:

Mr. Speaker:

The Senate has acceded to the request for a new Committee of Conference on the difference of the two Houses on House bill No. 1, known as the Holder bill; and has appointed as such Committee:

Messrs. Stephens, of the 1st district; Farmer, of the 29th district; Williford, of the 28th district.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

•
Mr Speaker:

The Senate has passed by the requisite Constitutional majority the following House bill and House resolution, to-wit:

A bill to provide revenue for the penitentiary system of Georgia, by imposing a tax on imitation beers, etc.

Also,

A resolution providing for a Commission to inquire into the feasibility of extending the W & A. R. R. to the sea.

The House again took a recess subject to the call of the Speaker.

The House was again called to order by the Speaker.

Mr. Hall, of Fbib, Chairman of the second Committee of Conference to confer with a like Committee of the Senate on House bill No. 1, known as the "Holder Convict Bill," reported that the two Committees had not as yet reached any agreement and recommended that the House take a recess until 3 o'clock this afternoon. The report was adopted.

Mr. Wise, of Fayette, asked unanimous consent that the letter "r" be added to the word "manufacture" in line 5, of Section 5, of the substitute for

House bill No. 4, so as to make the same read "manufacturer," but there was objection.

Mr. Wise then moved to adjourn, which motion prevailed and the Speaker announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

On motion of Mr. Hall, of Bibb, the roll-call was dispensed with.

Mr. Parker, Chairman of Committee on Enrollment, submitted the following report:

Mr. Speaker:

The following bill of the House has been duly examined, properly signed and is now ready for delivery to the Governor, to-wit:

A bill to raise revenue for the development and support of the penitentiary system by placing certain taxes on the manufacture and sale of imitation beer, and for other purposes.

Also the following resolution of the House, to-wit:

A resolution to provide for the appointment of a

Committee to inquire into the feasibility of extending the W & A. R. R. to the sea.

Mr. Hall, of Bibb, Chairman of Conference Committee No. 2, on House bill No. 1, known as the "Holder Convict Bill," reported that the Committees were unable to agree as to the differences existing between the House and Senate.

The following resolution was read and lost, to-wit:

By Mr. Hall—

A joint resolution providing that the House adjourn sine die.

The following resolution was read, to-wit:

By Mr. Brown, of Carroll—

A resolution providing that the present Conference Committee (No. 2) be discharged and a new Committee of Conference appointed and that this House stand adjourned at 4:30 o'clock p. m.

Mr. Candler, of DeKalb, moved for a division of the above resolution, which was carried and that part of the resolution providing for a new Committee of Conference was adopted. The remaining part was lost.

The following resolution was read and tabled, to-wit:

By Mr. Alexander—

A resolution to instruct the next conferees appointed on behalf of the House that in the opinion of the House the leasing of convicts ought to cease after March 31, 1909.

On motion of Mr. Stubbs, of Thomas, the House took a recess subject to the call of the Speaker.

The Speaker again called the House to order.

Conference Committee No. 2, who were unable to agree with the Senate Committee on House bill No. 1, were discharged and the Speaker appointed the following as the new Committee of Conference:

Messrs. Heard, of Dooly; Barrett, of Stephens; Anderson, of Bulloch.

Mr. Burwell moved that the afternoon session be extended indefinitely which motion prevailed.

The House again took a recess subject to the call of the Speaker.

The House was called to order by the Speaker.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

Mr Speaker:

The Senate has appointed a new Conference Com-

mittee to consider the disagreement of the two Houses upon House bill No. 1, and substitute thereto and has appointed on said Committee:

Messrs. Lashley, Loyd, Akin.

ATLANTA, GA., September 5, 1908.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Carter:

Mr Speaker:

His Excellency, the Governor, has approved and signed the following Acts, to-wit:

An Act to provide for the establishment of juvenile courts.

An Act to impose a tax upon the manufacture and sale of imitations of beers, wines, whisky, etc.

Also,

A resolution to create a commission to inquire into the feasibility of extending the Western & Atlantic Railroad to the sea.

Mr. Heard, of Dooly, Chairman of the Conference

Committee to consider the differences existing between the House and Senate on House bill No. 1, known as the "Holder Convict Bill," reported that the Committee was not yet ready to report, but that an agreement was probable and asked for an extension of time, which was granted on motion of Mr. Dunbar.

Leave of absence was granted:

Mr. Sumner on account of sickness.

Mr. Swilling on account of sickness.

Mr. Burkhalter on account of sickness.

Mr. Butt on account of sickness.

Mr. Lee, of Glynn.

Mr. Cook, of Chattahoochee.

Mr. Ellison, of Harris.

Mr. Odom, of Baker, on account of sickness.

The motion of Mr. Dunbar, that the House adjourn until Monday morning, was carried, and the Speaker announced the House adjourned until Monday morning at 10 o'clock.

ATLANTA, GA.

MONDAY, September 7, 1908.

The House met pursuant to adjournment at 10 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names.

Adams of Chatham,	Calbeck,	Edmondson,
Adams of Elbert,	Callaway,	Edwards,
Adams of Wilkinson,	Candler,	Ellison,
Adkins,	Cannon,	Estes,
Alexander,	Chamlee,	Fagan,
Allen,	Clark,	Flanders,
Anderson of Bulloch,	Clifton,	Flannigan,
Anderson of Cobb,	Collum,	Foster,
Arnold,	Cook of Chat'hoochee,	Fowler,
Ashley,	Cook of Telfair,	Fraser,
Atkinson,	Cooke of Thomas,	Frier,
Austin,	Covington,	Fullbright,
Ballard,	Couch,	Furr,
Barksdale,	Cowan,	Geer,
Barrett,	Crawford,	Gibson,
Barrow,	Crumbley,	Glenn,
Bell,	Culbreth,	Godley,
Berry,	Daniel,	Goode,
Blackburn,	Davis,	Guyton,
Bond,	Davison,	Hall,
Bowen,	Dean,	Hamilton,
Boyd,	Dickey,	Hardeman,
Brown of Carroll,	Donalson,	Harris,
Brown of Oglethorpe,	Dorminy,	Haywood,
Buchannon,	Dunbar,	Heard,
Burkhalter,	Duggan,	Hill,
Burwell,	Dykes,	Hines,
Butt,	Eaves,	Holder,

Howard,	Mundy,	Stubbs,
Hubbard,	Nix,	Sumner,
Huff,	Nowell,	Swilling,
Huie,	Odum,	Taylor of Appling,
Hullender,	Orr,	Taylor of Sumter,
Jackson,	Parker,	Terrell,
Johnsen of Jasper,	Parrish,	Thorne,
Johnson of Jeff Davis	Payton,	Thurman,
Johnson of Towns,	Perry,	Tift,
Jones of Meriwether,	Persons,	Townsend,
Jones of Mitchell,	Peterson,	Tracy,
Keith,	Pope of Brooks,	Trent,
Kendall,	Pope of Dade,	Tuggle,
Kendrick,	Powell,	Tyson,
Lee,	Price of Bartow,	Walker of Lowndes,
Lively,	Price of Oconee,	Walker of Milton,
Lumsden,	Reid of Macon,	Walker of Wash'gton,
Lunsford,	Reid of Putnam,	Ward,
Matthews,	Reid of Wilcox,	Warnell,
MacFarland,	Rogers,	Watkins,
McCarthy,	Rountree,	White of Madison,
McIntyre,	Russell,	White of Screven,
McMahan,	Ryals,	Whitley,
McMichael,	Shaw,	Williams,
McMullan,	Sheffield,	Wilson,
McWilliams,	Simmons,	Wise,
Martin,	Slade,	Wootten,
Massengale,	Slater,	Wright of Floyd,
Maxwell,	Smith of Calhoun,	Wynne,
Mays,	Smith of Campbell,	Young,
Mercer,	Stephens,	Mr. Speaker,
Moore,	Stewart,	
Morris,	Strickland,	

Those absent were Messrs.—

Atwater,

Wright of Richmond,

The Journal of Saturday's proceedings was read and confirmed.

By unanimous consent the following bill was read the first time, to-wit:

By Mr. Estes, of Pierce—

A bill to be entitled an Act to abolish the leasing of convicts in Georgia, to provide a penitentiary system for the State and for the enforcement of its penal laws; to provide compensation for solicitors, and for other purposes.

General Judiciary

The House took a recess subject to the call of the Speaker on motion of Mr. Hall, of Bibb.

The Speaker again called the House to order.

Messrs. Heard, of Dooly; Barrett, of Stephens, and Anderson, of Bulloch, Conference Committee No. 3, to confer with a like Committee from the Senate on difference existing between the House and Senate on House bill No. 1, known as the Holder Convict Bill, submitted the following report:

Mr. Speaker:

Your Committee on Conference appointed to meet a like number from the Senate, to consider House bill No. 1, and substitute therefor, ask leave to report that an agreement can not be reached and most re-

spectfully ask to be discharged from further consideration of same.

Respectfully submitted,

HEARD,

BARRETT,

ANDERSON, of Bulloch.

Committee.

Mr. Smith, of Campbell, moved that Conference Committee No. 3, on House bill No. 1, be discharged and a new Committee of Conference be appointed, which motion prevailed.

The following resolution was read, to-wit:

By Mr. Alexander—

A resolution to instruct the new confrerees of the House on House bill No. 1, that it is the opinion of this House that the lease system should end after March 31, 1909.

The previous question was called and the main question ordered.

On the adoption of the resolution, Mr. Alexander called for the ayes and nays, which call was sustained.

Mr. Dunbar moved that the House reconsider its action in ordering the previous question, and on that motion, Mr. Candler called for the ayes and nays,

which call was sustained, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Fraser,	Parrish,
Adams of Wilkinson,	Fullbright,	Peterson,
Anderson of Bulloch,	Glenn,	Pope of Brooks,
Berry,	Goode,	Pope of Dade,
Blackburn,	Hall,	Reid of Macon,
Bond,	Harris,	Rogers,
Brown of Carroll,	Haywood,	Rountree,
Brown of Oglethorpe,	Heard,	Ryals,
Buchannon,	Holder,	Slade,
Butt,	Huff,	Slater,
Calbeck,	Hullender,	Stephens,
Cannon,	Lively,	Stewart,
Chamlee,	Matthews,	Taylor of Appling.
Clifton,	McCarthy,	Thorne,
Crawford,	McIntyre,	Trent,
Davison,	McMahan,	Tuggle,
Donalson,	McMichael,	Tyson,
Dorminy,	McWilliams,	Walker of Wash'gton,
Dunbar,	Maxwell,	Ward,
Flannigan,	Mays,	White of Madison,
Fowler,	Morris,	Wilson,

Those voting in the negative were Messrs.—

Adams of Chatham,	Cook of Telfair,	Foster,
Adkins,	Cooke of Thomas,	Frier,
Alexander,	Covington,	Furr,
Anderson of Cobb,	Couch,	Gibson,
Atkinson,	Cowan,	Godley,
Ballard,	Dean,	Guyton,
Bowen,	Duggan,	Hamilton,
Callaway,	Eaves,	Hardeman,
Candler,	Edwards,	Hill,
Clark,	Estes,	Hines,
Cook of Chat'hoochee,	Flanders,	Huie,

Jackson,	Orr,	Tracy,
Johnson of Towns,	Perry,	Walker of Lowndes,
Keith,	Persons,	Walker of Milton,
Kendall,	Reid of Putnam,	Watkins,
Kendrick,	Shaw,	White of Screven,
Lumsden,	Sheffield,	Williams,
MacFarland,	Smith of Campbell,	Wise,
Martin,	Stubbs,	Wynne,
Massengale,	Taylor of Sumter,	Young,
Moore,	Thurman,	

Those not voting were Messrs.—

Allen,	Ellison,	Price of Bartow,
Arnold,	Fagan,	Price of Oconee,
Ashley,	Geer,	Reid of Wilcox,
Atwater,	Howard,	Russell,
Austin,	Hubbard,	Simmons,
Parksdale,	Johnson of Jasper,	Smith of Calhoun,
Barrett,	Johnson of Jeff Davis,	Strickland,
Barrow,	Jones of Meriwether,	Sumner,
Bell,	Jones of Mitchell,	Swilling,
Boyd,	Lee,	Terrell,
Burkhalter,	Lunsford,	Tift,
Burwell,	McMullan,	Townsend,
Collum,	Mercer,	Warnell,
Crumbley,	Mundy,	Whitley,
Culbreth,	Nix,	Wootten,
Daniel,	Nowell,	Wright of Floyd,
Davis,	Odum,	Wright of Richmond,
Dickey,	Parker,	Mr. Speaker,
Dykes,	Payton,	
Edmondson,	Powell,	

Ayes, 63. Nays, 62.

The roll-call was verified and on counting the votes cast, it was found that the ayes were 63, nays 62. The motion to reconsider the call for the previous question therefore prevailed.

Mr. Wise moved that the resolution be tabled and on that motion Mr. Candler called for the ayes and nays, which call was sustained, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Wilkinson,	Goode,	Pope of Brooks,
Anderson of Bulloch,	Hall,	Pope of Dade,
Berry,	Hamilton,	Reid of Macon,
Blackburn,	Harris,	Rountree,
Bond,	Haywood,	Russell,
Brown of Carroll,	Heard,	Ryals,
Brown of Oglethorpe,	Holder,	Siade,
Butt,	Hubbard,	Slater,
Calbeck,	Huff,	Stephens,
Cannon,	Hullender,	Stewart,
Chamlee,	Keith,	Taylor of Appling,
Clifton,	Lively,	Thorne,
Crawford,	Lumsden,	Trent,
Davison,	Matthews,	Tuggle,
Donalson,	McIntyre,	Tyson,
Dorminy,	McMahan,	Walker of Lowndes,
Dunbar,	McMichael,	Walker of Wash'gton,
Eaves,	McWilliams,	Ward,
Fagan,	Maxwell,	Watkins,
Flannigan,	Mays,	White of Madison.
Fowler,	Morris,	Wilson,
Fraser,	Parrish,	Wise,
Fullbright,	Persons,	
Glenn,	Peterson,	

Those voting in the negative were Messrs.—

Adams of Chatham,	Bowen,	Cook of Telfair,
Adkins,	Buchannon,	Cooke of Thomas,
Alexander,	Callaway,	Covington,
Anderson of Cobb,	Candler,	Couch,
Atkinson,	Clark,	Cowan,
Ballard,	Cook of Chat'hoochee,	Dean,

Duggan,	Huie,	Sheffield,
Edwards,	Jackson,	Smith of Campbell,
Ellison,	Johnson of Towns,	Strickland,
Estes,	Kendall,	Stubbs,
Flanders,	Kendrick,	Taylor of Sumter,
Foster,	MacFarland,	Thurman,
Frier,	Martin,	Tracy,
Furr,	Massengale,	Walker of Milton,
Gibson,	Moore,	White of Screven,
Godley,	Orr,	Williams,
Guyton,	Perry,	Wynne,
Hardeman,	Reid of Putnam,	Young,
Hill,	Rogers,	
Hines,	Shaw,	

Those not voting were Messrs.—

Adams of Elbert,	Dykes,	Powell,
Allen,	Edmondson,	Price of Bartow,
Arnold,	Geer,	Price of Oconee,
Ashley,	Howard,	Reid of Wilcox,
Atwater,	Johnson of Jasper,	Simmons,
Austin,	Johnson of Jeff Davis	Smith of Calhoun,
Barksdale,	Jones of Meriwether,	Sumner,
Barrett,	Jones of Mitchell,	Swilling,
Barrow,	Lee,	Terrell,
Bell,	Lunsford,	Tift,
Boyd,	McCarthy,	Townsend,
Burkhalter,	McMullan,	Warnell,
Burwell,	Mercer,	Whitley,
Collum,	Mundy,	Wootten,
Crumbley,	Nix,	Wright of Floyd,
Culbreth,	Nowell,	Wright of Richmond,
Daniel,	Odum,	Mr. Speaker,
Davis,	Parker,	
Dickey,	Payton,	

Ayes, 70. Nays, 58.

On motion of Mr. Tyson, of Emanuel, the verification of the roll-call was dispensed with.

On the motion to table the resolution the ayes were 70, nays 58. The motion therefore prevailed.

The Speaker announced the following Committee of Conference No. 4, on the "Holder Convict Bill."

Messrs. Blackburn, Donaldson, Chamlee.

By unanimous consent the House took a recess subject to the call of the Speaker.

The House was again called to order by the Speaker.

The following message was received from the Senate through Mr. Northen, the Secretary thereof:

Mr Speaker:

The Senate has appointed a new Conference Committee upon House bill No. 1, and substitute thereto, and the President of the Senate has appointed the following as members on part of the Senate, to-wit:

Farmer, Walden, Henderson, of 39th district.

The following resolution was read and lost, to-wit:

By Messrs. McCarty and Glenn—

A resolution providing that, today being Labor Day, the House adjourn until 9 o'clock tomorrow morning.

On motion of Mr. Candler the House took a recess subject to the call of the Speaker.

The House was again called to order by the Speaker.

Mr. Candler, of DeKalb, moved that the House adjourn until 10 o'clock tomorrow morning which motion prevailed.

Leave of absence was granted Mr. Townsend and Mr. Huff.

The Speaker announced the House adjourned until 10 o'clock tomorrow morning.

ATLANTA, GA.

TUESDAY, September 8, 1908.

The House met pursuant to adjournment at 10 o'clock a. m., this day, was called to order by the Speaker, and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Calbeck,	Edmondson,
Adams of Elbert,	Callaway,	Edwards,
Adams of Wilkinson,	Candler,	Ellison,
Adkins,	Cannon,	Fstes,
Alexander,	Chamlee,	Fagan,
Allen,	Clark,	Flanders,
Anderson of Bulloch,	Clifton,	Flannigan,
Anderson of Cobb,	Collum,	Foster,
Arnold,	Cook of Chat'hoochee,	Fowler,
Ashley,	Cook of Telfair,	Fraser,
Atkinson,	Cooke of Thomas,	Frier,
Austin,	Covington,	Fullbright,
Ballard,	Couch,	Furr,
Barksdale,	Cowan,	Geer,
Barrett,	Crawford,	Gibson,
Barrow,	Crumbley,	Glenn,
Bell,	Culbreth,	Godley,
Berry,	Daniel,	Goode,
Blackburn,	Davis,	Guyton,
Bond,	Davison,	Hall,
Bowen,	Dean,	Hamilton,
Boyd,	Dickey,	Hardeman,
Brown of Carroll,	Donalson,	Harris,
Brown of Oglethorpe,	Dorminy,	Haywood,
Buchannon,	Dunbar,	Heard,
Burkhalter,	Duggan,	Hill,
Burwell,	Dykes,	Hines,
Butt,	Eaves,	Holder,

Howard,	Mundy,	Stubbs,
Hubbard,	Nix,	Sumner,
Huff,	Nowell,	Swilling,
Huie,	Odum,	Taylor of Appling,
Hullender,	Orr,	Taylor of Sumter,
Jackson,	Parker,	Terrell,
Johnson of Jasper,	Parrish,	Thorne,
Johnson of Jeff Davis	Payton,	Thurman,
Johnson of Towns,	Perry,	Tift,
Jones of Meriwether,	Persons,	Townsend,
Jones of Mitchell,	Peterson,	Tracy,
Keith,	Pope of Brooks,	Trent,
Kendall,	Pope of Dade,	Tuggle,
Kendrick,	Powell,	Tyson,
Lee,	Price of Bartow,	Walker of Lowndes,
Lively,	Price of Oconee,	Walker of Milton,
Lumsden,	Reid of Macon,	Walker of Wash'gton,
Lunsford,	Reid of Putnam,	Ward,
Matthews,	Reid of Wilcox,	Warnell,
MacFarland,	Rogers,	Watkins,
McCarthy,	Rountree,	White of Madison,
McIntyre,	Russell,	White of Screven,
McMahan,	Ryals,	Whitley,
McMichael,	Shaw,	Williams,
McMullan,	Sheffield,	Wilson,
McWilliams,	Simmons,	Wise,
Martin,	Slade,	Wootten,
Massengale,	Slater,	Wright of Floyd,
Maxwell,	Smith of Calhoun,	Wynne,
Mays,	Smith of Campbell,	Young,
Mercer,	Stephens,	Mr. Speaker,
Moore,	Stewart,	
Morris,	Strickland.	

Those absent were Messrs.—

Atwater,

Wright of Richmond,

The Journal of yesterday's proceedings was read and confirmed.

Mr. Blackburn, of Fulton, Chairman of the House

Conference Committee (No. 4) to confer with a like Committee from the Senate on House bill No. 1, known as the "Holder Convict Bill," reported that the Committee had made marked progress and asked that additional time be granted in which to adjust the differences existing between the House and Senate, which was granted.

On motion of Mr. Wise, of Fayette, the House took a recess until 11:30 o'clock.

At 11:30 o'clock the House was called to order by the Speaker and again took a recess, on motion of Mr. Wise, subject to the call of the Speaker.

At 12:05 o'clock the House was again called to order by the Speaker.

Mr. Blackburn, Chairman of the 4th Committee of Conference, on the Holder Convict Bill, reported the Committee was still making progress and recommended that the House take a recess until 3 o'clock this afternoon when it was hoped the Committee would be able to make a final report.

Mr. Wise moved that the House adjourn until 3 o'clock, which motion prevailed.

Leave of absence was granted Mr. Nix, of Gwinnett on account of sickness.

The Speaker then announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

A motion to dispense with the call of the roll was put and no quorum having voted on the motion the Speaker directed that the roll be called and those answering to their names were as follows:

Adams of Chatham,	Candler,	Fagan,
Adams of Elbert,	Cannon,	Flanders,
Adams of Wilkinson,	Chamlee,	Flannigan,
Adkins,	Clark,	Foster,
Alexander,	Clifton,	Fowler,
Allen,	Collum,	Fraser,
Anderson of Bulloch,	Cook of Chat'hoochee,	Frier,
Anderson of Cobb,	Cook of Telfair,	Fullbright,
Arnold,	Cooke of Thomas,	Furr,
Ashley,	Covington,	Geer,
Atkinson,	Couch,	Gibson,
Austin,	Cowan,	Glenn,
Ballard,	Crawford,	Godley,
Barksdale,	Crumbley,	Goode,
Barrett,	Culbreth,	Guyton,
Barrow,	Daniel,	Hall,
Bell,	Davis,	Hamilton,
Berry,	Davison,	Hardeman,
Blackburn,	Dean,	Harris,
Bond,	Dickey,	Haywood,
Bowen,	Donalson,	Heard,
Boyd,	Dorminy,	Hill,
Brown of Carroll,	Dunbar,	Hines,
Brown of Oglethorpe,	Duggan,	Holder,
Buchannon,	Dykes,	Howard,
Burkhalter,	Eaves,	Hubbard,
Burwell,	Edmondson,	Huff,
Butt,	Edwards,	Huie,
Calbeck,	Ellison,	Hullender,
Callaway,	Estes,	Jackson,

Johnson of Jasper,	Orr,	Swilling,
Johnson of Jeff Davis	Parker,	Taylor of Appling,
Johnson of Towns,	Parrish,	Taylor of Sumter,
Jones of Meriwether,	Payton,	Terrell,
Jones of Mitchell,	Perry,	Thorne,
Keith,	Persons,	Thurman,
Kendall,	Peterson,	Tift,
Kendrick,	Pope of Brooks,	Townsend,
Lee,	Pope of Dade,	Tracy,
Lively,	Powell,	Trent,
Lumsden,	Price of Bartow,	Tuggle,
Lunsford,	Price of Oconee,	Tyson,
Matthews,	Reid of Macon,	Walker of Lowndes,
MacFarland,	Reid of Putnam,	Walker of Milton,
McCarthy,	Reid of Wilcox,	Walker of Wash'gton,
McIntyre,	Rogers,	Ward,
McMahan,	Rountree,	Warnell,
McMichael,	Russell,	Watkins,
McMullan,	Ryals,	White of Madison,
McWilliams,	Shaw,	White of Screven,
Martin,	Sheffield,	Whitley,
Massengale,	Simmons,	Williams,
Maxwell,	Slade,	Wilson,
Mays,	Slater,	Wise,
Mercer,	Smith of Calhoun,	Wootten,
Moore,	Smith of Campbell,	Wright of Floyd,
Morris,	Stephens,	Wynne,
Mundy,	Stewart,	Young,
Nix,	Strickland,	Mr. Speaker,
Nowell,	Stubbs,	
Odum,	Sumner,	

Those absent were Messrs.—

Atwater,

Wright of Richmond,

Mr. Brown, of Carroll, reported that he had been informed by a member of the Committee that the Conference Committee would probably reach an agreement in the next fifteen minutes and asked that

the House take a recess subject to the call of the Speaker, which was granted.

At 3:50 o'clock the House was again called to order by the Speaker.

Mr. Blackburn, Chairman of the Committee of Conference No. 4, to confer with a like Committee from the Senate on the differences existing between the House and Senate on the "Holder Convict Bill" submitted the following report:

Mr. Speaker:

Your Committee on Conference, having met a like Committee from the Senate, and having had under advisement the adjustment of the differences between both branches concerning House bill No. 1, a bill providing for the future disposition of the convicts of Georgia, beg leave to report as follows:

The Senate recedes from its position in reference to the substitute to the bill proposed, and the House and Senate Committees concur in the following amendments to House bill No. 1, to-wit:

Amend caption of the bill by striking the words "except through the Prison Commission," in lines ten and eleven.

Amend Section 2, by striking the words and figures "April 1st, 1909," in the fourth line, and inserting in lieu thereof the word and figures "March 31st, 1909."

Amend Section 2 further, by striking the words "except that contracts beginning April 1st, 1911, may be made to December 31st, 1911," in lines 11, 12 and 13.

Amend Section 2 further, by striking the words "for a period not exceeding three years," in lines 10 and 11.

Amend Section 2 further, by adding at the end of said Section the words "or by the exchange of an equal number of convicts."

Amend Section 3, by striking all of said Section and inserting in lieu thereof the following:

"SEC. 3. Be it further enacted, That in awarding convicts to counties, in excess of their proportion, they shall have the right to have awarded to them as many convicts as they desire upon such terms and conditions as herein set forth at and for the price of seventy-five (\$75.00) dollars per capita per annum; *provided*, that in the event the request by counties should exceed the number of convicts on hand, convicts shall be prorated between those counties making application for same.

"Be it further enacted, That after the counties have been provided with convicts as set forth, and if there should remain any convicts undisposed of, then the privileges conferred upon counties herein, shall be extended to municipalities of this State, which shall have the right to hire convicts from the

Prison Commission in such numbers as might be agreed upon, at the price of one hundred (\$100) dollars per capita per annum.

“Be it further enacted, That after all counties and municipalities have been provided with convicts as herein set forth, the State shall place as many convicts upon the State farm or farms as in the judgment of the said Commissioners it can use and maintain.”

Amend Section 4, by striking all of said Section and inserting in lieu thereof the following:

“SEC. 4. Be it further enacted, That if at any time after the expiration of the time in each year for the filing of requisition for such labor by the county authorities or municipalities as herein provided, should it appear that there still remains any convicts whose labor will not be used upon the public roads, bridges, or other public works by the counties, municipalities or by the State, and who should not be confined at the State farm or farms, the Prison Commission may use such remaining convicts in doing contract work upon such terms and conditions and with such parties as may be agreed upon by the Prison Commission, with the consent and approval of the Governor.

“Be it further enacted, That at the time any contract is entered into for the work under this Section, that the Prison Commission shall require the parties

with whom the contract is made to give a good, sufficient and solvent bond, payable to the State, that they will faithfully pay the amount of the contract price, and for the faithful performance on their part of all the requirements, terms and conditions of the contract; *provided*, that contract work, as herein set forth, shall cease after January 1st, 1911."

Amend Section 5, by striking the words "and private contractors," from line 6.

Amend Section 8, by striking said Section 8, and numbering remaining Sections accordingly.

Amend Section 13, by striking all of said Section 13, and inserting in lieu thereof, the following:

SEC. 13. Be it further enacted, That the net proceeds arising from the hire of convicts to counties and municipalities and derived from contract work shall be used by the Prison Commission in working convicts upon the public roads or public works of the counties, which do not elect to take convicts as herein provided, pro rata, at the option of the Prison Commission, and in the event the Prison Commission may elect not to work the roads in any one or more of said counties, then the pro rata part of said funds for said counties shall be paid into their respective treasuries to be used for road purposes only.

Amend Section 14, by striking all of Section 14, and inserting in lieu thereof, the following:

SEC. 14. Be it further enacted, That in order to carry into effect the terms of this Act the Prison Commission with the approval of the Governor is hereby authorized to purchase or lease for a period of five years, with the option to purchase at any time, one or more tracts of land located at some convenient point, for the purpose of working the convicts thereon; but before said tract or tracts of lands is purchased or leased, advertisements asking for proposals shall be published in four of the daily papers of this State and the abstract of title of said land approved by the attorney-general.

Amend Section 15, by adding after the word "such" at the end of line fourteen, the word "lands."

Amend Section 15 further by adding the words "or farms" after the words "State farms" wherever it occurs in said Section.

Amend Section 16, by adding the words "or farms" after the words "State farms," wherever it occurs in said Section.

Amend further by adding a new and distinct Section, to be appropriately numbered, to read as follows:

"Be it further enacted, That the sum of one hundred thousand (\$100,000.00) dollars be and the same is hereby appropriated out of any funds not otherwise appropriated, for the purpose of carrying out the provisions of this Act and that said sum shall be

made immediately available and be paid over to the Prison Commission as it may desire, from time to time, and to be used by it for the purpose of erecting stockades, purchasing live stock, equipments, machinery, and such other material as may be necessary to carry out the provisions of this Act.

Be it further provided, That the sum herein appropriated shall be paid back into the treasury from the funds derived from the special tax imposed upon imitation beer and like beverages to be collected for the year 1909, which said tax has been appropriated by law for the support of the penitentiary department.

Amend further, by adding another new and distinct Section to be appropriately numbered, to read as follows:

“Be it further enacted, That whenever convicts are awarded to counties or municipalities under the terms of this Act, said counties may at their option, hold said convicts for a period of three years or surrender them to the Prison Commission at the end of any year on giving the Commission sixty days notice of an intention to do so, or they may be surrendered at any time with the consent of the Prison Commission. *Provided, further,* that any county or municipality, with the consent and approval of the Prison Commission, may at any time return to the Prison Commission any vicious convicts in their possession.

Your Committee respectfully recommends that the agreement reached by the Conference Committee of both branches as herein reported, be adopted.

Second. That said House bill No. 1, as amended be passed by a yea and nay vote, (it carrying an appropriation) by the House and then transmitted to the Senate for concurrence.

Your Committee further reports, That the recommendations herein set forth have been adopted by a majority vote of both House and Senate Committees and that each Committee simultaneously filed with their respective bodies the recommendation that the agreement herein reached be concurred in by both Houses.

All of which is most respectfully submitted.

R. B. BLACKBURN,
R. L. CHAMLEE,
ERLE M. DONALDSON.

We concur for the Senate.

IRA E. FARMER,
WM. WALDEN.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

Mr Speaker:

The Senate has passed as amended, by the requi

site Constitutional majority, the following bill of the House, to-wit:

A bill to create a system of parole or conditional pardon of prisoners convicted of crime.

Mr. Wise, of Fayette, moved that 200 copies of House bill No. 1, as passed by the House, together with the preceding report of the Conference Committee thereon be printed and distributed on the desks of the members which motion prevailed.

On motion of Mr. Alexander, the session of the House was extended until the Senate amendments to the following bill were agreed to, which motion prevailed.

Mr. Butt, of Fannin, moved that when the House adjourn, it stand adjourned until tomorrow morning at 9 o'clock.

Mr. Russell moved as a substitute that when the House adjourn it stand adjourned until 10 o'clock tomorrow morning, which was adopted.

The following bill, for which the session was extended, was taken up for the purpose of agreeing to the Senate amendments, to-wit:

By Mr. Persons of Monroe—

A bill to create a system of parole or conditional pardons of prisoners convicted for crime, and for other purposes.

The Senate proposed to amend by striking the word "private" in line 22, of Section 2.

Also,

To amend Section 3, lines 19 and 20, by striking the words "the maximum time fixed by law as the term of his sentence," and insert in lieu thereof, the words "the remainder of his original sentence, time parolled may or may not be considered or calculated as a part of the original sentence in the discretion of the Commission," and by striking the remainder of said Section.

Also,

To amend by adding a new Section to immediately precede the repealing clause to be appropriately numbered as follows:

"There shall be established by the Prison Commission, or other proper authorities, a system of grades of behavior for said convicts. The different grades of behavior shall be plainly distinguished by dress or emblem thereon, so that each convict and all persons coming in contact with any convict may at once be able to determine to which good behavior said convict belongs.

The preceding amendments of the Senate were concurred in.

Leave of absence was granted Mr. Martin, of Elbert.

The Speaker then announced the House adjourned until 10 o'clock tomorrow morning.

ATLANTA, GA.

WEDNESDAY, September 9, 1908.

The House met pursuant to adjournment at 10 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the roll-call and the reading of the Journal of yesterday's proceedings were dispensed with.

The following resolutions were read and adopted, to-wit:

By Mr. Candler, of DeKalb—

A resolution to provide for the indexing of the House and Senate Journals for Extraordinary Session of 1908.

By Mr. Parker, of Talbot—

A resolution providing for the bringing up of the unfinished business of the House and Senate for the Extraordinary Session of 1908.

The following resolution was read and adopted as amended, to-wit:

By Mr. Wise, of Fayette—

Resolved, That it is the sense of this House that

the report of the Conference Committee on House bill No. 1, should be agreed to and that the Senate be notified of this action of the House. Further, That said House bill No. 1 be returned to the Senate with this report.

Mr. Holder proposed to amend by inserting between the words "the" and "report" the words "amendments recommended in the" and by inserting after words "No. 1" the word "should."

The following memorial from the citizens of DeKalb county was read on motion of Mr. Alexander.

LITHONIA, GA., September 8, 1908.

To the General Assembly of the State of Georgia:

The citizens of Lithonia, Georgia, met in mass-meeting to-night to protest against the contract clause in the proposed convict bill.

A number of speeches were made condemning this feature of the bill; after which, the following resolutions were adopted:

WHEREAS, The Conference Committee of the General Assembly have reported a compromise measure wherein the State is authorized to work the surplus of convicts by contract, thereby placing the convicts in direct competition with free labor, and,

WHEREAS, The citizens and tax payers of the State have to bear the burden of expense in apprehending and convicting the criminals of the State it is unfair and unjust to place them in competition with free labor, and is inimical to the best interests of the State.

Therefore be it resolved, That we, the citizens of Lithonia, Georgia, in mass-meeting assembled do most earnestly appeal to the General Assembly of the State of Georgia not to enact this unrighteous piece of legislation.

Resolved, That our mayor is hereby requested to transmit these resolutions at once to our representatives Messrs. Alexander and Candler.

B. F. GEORGE,
Chairman.

On the adoption of the following amendment as the sense of this House, proposed by the Conference Committee in its report on House bill No. 1, Section 4, Mr. Perry called for the ayes and nays, which call was sustained. The amendment is as follows:

Amend Section 4, by striking all of said Section and inserting in lieu thereof, the following:

“SEC. 4. Be it further enacted, That if at any time after the expiration of the time in each year for the filing of requisition for such labor by the county authorities or municipalities as herein pro-

vided, should it appear that there still remains any convicts whose labor will not be used upon the public roads, bridges, or other public works by the counties, municipalities or by the State, and who should not be confined at the State farm or farms, the Prison Commission may use such remaining convicts in doing contract work upon such terms and conditions and with such parties as may be agreed upon by the Prison Commission, with the consent and approval of the Governor.

“Be it further enacted, That at the time any contract is entered into for work under this Section, that the Prison Commission shall require the parties with whom the contract is made to give a good, sufficient and solvent bond, payable to the State, that they will faithfully pay the amount of the contract price, and for the faithful performance on their part of all the requirements, terms and conditions of the contract; *provided*, that contract work, as herein set forth, shall cease after January 1st, 1911.”

On the adoption of the amendment the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Atkinson,	Brown of Carroll,
Adams of Elbert,	Austin,	Brown of Oglethorpe,
Adams of Wilkinson,	Barrett,	Butt,
Adkins,	Blackburn,	Calbeck,
Anderson of Bulloch,	Bond,	Callaway,
Arnold,	Bowen,	Cannon,

Chamlee,	Heard,	Reid of Macon,
Clark,	Hill,	Rountree,
Clifton,	Holder,	Russell,
Collum,	Hubbard,	Ryals,
Cook of Chat'hoochee,	Hullender,	Shaw,
Couch,	Johnson of Towns,	Simmons,
Crawford,	Jones of Meriwether,	Slade,
Culbreth,	Keith,	Slater,
Davison,	Kendrick,	Stephens,
Donalson,	Lee,	Stewart,
Dorminy,	Lively,	Strickland,
Eaves,	Lumsden,	Taylor of Appling,
Ellison,	Matthews,	Taylor of Sumter,
Estes,	McIntyre,	Thorne,
Fagan,	McMahan,	Tracy,
Flanders,	McMichael,	Trent,
Flannigan,	McWilliams,	Tuggle,
Fowler,	Mays,	Tyson,
Frier,	Mundy,	Walker of Lowndes,
Fullbright,	Nowell,	Walker of Wash'gton,
Gibson,	Parrish,	Ward,
Glenn,	Persons,	Watkins,
Goode,	Peterson,	White of Madison,
Hall,	Pope of Brooks,	Whitley,
Hamilton,	Pope of Dade,	Williams,
Harris,	Price of Bartow,	Wilson,
Haywood,	Price of Oconee,	Wise,

Those voting in the negative were Messrs.—

Alexander,	Dickey,	MacFarland,
Anderson of Cobb,	Duggan,	McCarthy,
Ballard,	Edwards,	Massengale,
Bell,	Foster,	Moore,
Boyd,	Furr,	Morris,
Buchannon,	Godley,	Orr,
Burwell,	Guyton,	Perry,
Candler,	Hardeman,	Reid of Putnam,
Cooke of Thomas,	Hines,	Rogers,
Covington,	Huie,	Sheffield,
Cowan,	Jackson,	Smith of Campbell,
Dean,	Kendall,	Stubbs,

Swilling,	Walker of Milton,	Wynne,
Thurman,	White of Screven,	Young,

Those not voting were Messrs.—

Allen,	Fraser,	Parker,
Ashley,	Geer,	Payton,
Atwater,	Howard,	Powell,
Barksdale,	Huff,	Reid of Wilcox,
Barrow,	Johnson of Jasper,	Smith of Calhoun,
Berry,	Johnson of Jeff Davis	Sumner,
Burkhalter,	Jones of Mitchell,	Terrell,
Cook of Teifair,	Lunsford,	Tift,
Crumbley,	McMullan,	Townsend,
Daniel,	Martin,	Warnell,
Davis	Maxwell,	Wootten,
Dunbar,	Mercer,	Wright of Floyd,
Dykes,	Nix,	Wright of Richmond,
Edmondson,	Odum,	Mr. Speaker,

Ayes, 99. Nays, 42.

The roll-call was verified and on counting the votes cast it was found that the ayes were 99, nays, 42. The amendment was therefore agreed to.

On motion of Mr. Wise, the House took a recess subject to the call of the Speaker.

The Speaker again called the House to order.

Leave of absence was granted Mr. Adams, of Elbert; Mr. Cook, of Chattahoochee; Mr. Duggan.

The hour of adjournment having arrived, the Speaker announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

The roll was called and the following members answered to their names:

Adams of Chatham,	Chamlee,	Fowler,
Adams of Elbert,	Clark,	Fraser,
Adams of Wilkinson,	Clifton,	Frier,
Adkins,	Collum,	Fullbright,
Alexander,	Cook of Chat'nocchee,	Furr,
Allen,	Cook of Telfair,	Geer,
Anderson of Bulloch,	Cooke of Thomas,	Gibson,
Anderson of Cobb,	Covington,	Glenn,
Arnold,	Couch,	Godley,
Ashley,	Cowan,	Goode,
Atkinson,	Crawford,	Guyton,
Austin,	Crumbley,	Hall,
Ballard,	Culbreth,	Hamilton,
Barksdale,	Daniel,	Hardeman,
Barrett,	Davis,	Harris,
Barrow,	Davison,	Haywood,
Bell,	Dean,	Heard,
Berry,	Dickey,	Hill,
Blackburn,	Donalson,	Hines,
Bond,	Dorminy,	Holder,
Bowen,	Dunbar,	Howard,
Boyd,	Duggan,	Hubbard,
Brown of Carroll,	Dykes,	Huff,
Brown of Oglethorpe,	Eaves,	Huie,
Buchannon,	Edmondson,	Hullender,
Burkhalter,	Edwards,	Jackson,
Burwell,	Ellison,	Johnson of Jasper,
Butt,	Estes,	Johnson of Jeff Davis
Calbeck,	Fagan,	Johnson of Towns,
Callaway,	Flanders,	Jones of Meriwether,
Candler,	Flannigan,	Jones of Mitchell,
Cannon,	Foster,	Keith,

Kendall,	Perry,	Taylor of Sumter,
Kendrick,	Persons,	Terrell,
Lee,	Peterson,	Thorne,
Lively,	Pope of Brooks,	Thurman,
Lumsden,	Pope of Dade,	Tift,
Lunsford,	Powell,	Townsend,
Matthews,	Price of Bartow,	Tracy,
MacFarland,	Price of Oconee,	Trent,
McCarthy,	Reid of Macon,	Tuggle,
McIntyre,	Reid of Putnam,	Tyson,
McMahan,	Reid of Wilcox,	Walker of Lowndes,
McMichael,	Rogers,	Walker of Milton,
McMullan,	Rountree,	Walker of Wash'gton,
McWilliams,	Russell,	Ward,
Martin,	Ryals,	Warnell,
Massengale,	Shaw,	Watkins,
Maxwell,	Sheffield,	White of Madison,
Mays,	Simmons,	White of Screven,
Mercer,	Slade,	Whitley,
Moore,	Slater,	Williams,
Morris,	Smith of Calhoun,	Wilson,
Mundy,	Smith of Campbell,	Wise,
Nix,	Stephens,	Wootten,
Nowell,	Stewart,	Wright of Floyd,
Odum,	Strickland,	Wynne,
Orr,	Stubbs,	Young,
Parker,	Sumner,	Mr. Speaker,
Parrish,	Swilling,	
Payton,	Taylor of Appling,	

Those absent were Messrs.—

Atwater,

Wright of Richmond,

Mr. Stubbs, Vice-Chairman of the Committee on Enrollment submitted the following report:

Mr Speaker:

The following bill of the House has been duly

examined, properly signed and is now ready for delivery to the Governor, to-wit:

A bill to create a system of parole or conditional pardons for prisoners convicted of crime and for other purposes.

Respectfully submitted,

J. B. STUBBS,
Vice-Chairman.

ATLANTA, GA., September 9, 1908.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Carter:

Mr. Speaker:

His Excellency, the Governor, has approved and signed the following Act, to-wit:

An Act to create a system of parole or conditional pardons of prisoners convicted for crime, and for other purposes.

The House took a recess subject to the call of the Speaker, on motion of Mr. Wise, of Fayette.

After the House was again called to order by the Speaker, Mr. Wise, of Fayette, moved to adjourn.

The previous question was called and the main question ordered.

On the motion to adjourn Mr. Butt, of Fannin, called for the ayes and nays, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Edwards,	Parrish,
Adams of Wilkinson,	Ellison,	Peterson,
Anderson of Cobb,	Estes,	Reid of Macon,
Arnold,	Fagan,	Reid of Putnam,
Atkinson,	Flannigan,	Rogers,
Austin,	Foster,	Rountree,
Ballard,	Fullbright,	Simmons,
Bell,	Furr,	Smith of Campbell,
Berry,	Gibson,	Stephens,
Bowen,	Godley,	Stubbs,
Buchannon,	Goode,	Swilling,
Callaway,	Guyton,	Taylor of Appling,
Candler,	Hall,	Taylor of Sumter,
Chamlee,	Hardeman,	Thurman,
Clark,	Harris,	Trent,
Collum,	Haywood,	Tyson,
Cook of Chat'hoochee,	Holder,	Walker of Milton,
Cooke of Thomas,	Hubbard,	Walker of Wash'gton,
Couch,	Huie,	Watkins,
Cowan,	Hullender,	White of Screven,
Crawford,	Kendrick,	Williams,
Culbreth,	MacFarland,	Wilson,
Davison,	McIntyre,	Wise,
Dean,	McMahan,	Wynne,
Dickey,	McMichael,	Young,
Dunbar,	Moore,	
Eaves,	Orr,	

Those voting in the negative were Messrs.—

Adams of Elbert,	Anderson of Bulloch,	Blackburn,
Alexander,	Barrett,	Brown of Carroll,

Brown of Oglethorpe,	Hill,	Perry,
Butt,	Jackson,	Pope of Dade,
Calbeck,	Johnson of Towns,	Ryals,
Cannon,	Keith,	Shaw,
Covington,	Lively,	Sheffield,
Donalson,	Lumsden,	Slater,
Dorminy,	McCarthy,	Thorne,
Frier,	McWilliams,	Tracy,
Glenn,	Massengale,	Tuggle,
Hamilton,	Morris,	Walker of Lowndes,
Heard,	Nowell,	Ward,

Those not voting were Messrs.—

Adkins,	Hines,	Pope of Brooks,
Allen,	Howard,	Powell,
Ashley,	Huff,	Price of Bartow,
Atwater,	Johnson of Jasper,	Price of Oconee,
Barksdale,	Johnson of Jeff Davis	Reid of Wilcox,
Barrow,	Jones of Meriwether,	Russell,
Bond,	Jones of Mitchell,	Slade,
Boyd,	Kendall,	Smith of Calhoun,
Burkhalter,	Lee,	Stewart,
Burwell,	Lunsford,	Strickland,
Clifton,	Matthews,	Sumner,
Cook of Telfair,	McMullan,	Terrell,
Crumbley,	Martin,	Tift,
Daniel,	Maxwell,	Townsend,
Davis,	Mays,	Warnell,
Duggan,	Mercer,	White of Madison,
Dykes,	Mundy,	Whitley,
Edmondson,	Nix,	Wootten,
Flanders,	Odum,	Wright of Floyd,
Fowler,	Parker,	Wright of Richmond,
Fraser,	Payton,	Mr. Speaker,
Geer,	Persons,	

Ayes, 79. Nays, 39.

The roll-call was verified and on counting the votes cast it was found that the ayes were 79, nays

39. The motion to adjourn therefore prevailed.

Leave of absence was granted Mr. Hamilton, of Columbia; Mr. Morris, of Wayne; Mr. Bond.

The Speaker then announced the House adjourned until 10 o'clock tomorrow morning.

ATLANTA, GA.

THURSDAY, September 10, 1908.

The House met pursuant to adjournment at 10 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by Rev. R. F. Eakes.

The roll was called and the following members answered to their names:

Adams of Chatham,	Butt,	Iykes,
Adams of Elbert,	Calbeck,	Eaves,
Adams of Wilkinson,	Callaway,	Edmondson,
Adkins,	Candler,	Edwards,
Alexander,	Cannon,	Ellison,
Allen,	Chamlee,	Estes,
Anderson of Bulloch,	Clark,	Fagan,
Anderson of Cobb,	Clifton,	Flanders,
Arnold,	Collum,	Flannigan,
Ashley,	Cook of Chat'hoochee,	Foster,
Atkinson,	Cook of Telfair,	Fowler,
Austin,	Cooke of Thomas,	Fraser,
Ballard,	Covington,	Frier,
Barksdale,	Couch,	Fullbright,
Barrett,	Cowan,	Furr,
Barrow,	Crawford,	Geer,
Bell,	Crumbley,	Gibson,
Berry,	Culbreth,	Glenn,
Blackburn,	Daniel,	Godley,
Bond,	Davis,	Goode,
Bowen,	Davison,	Guyton,
Boyd,	Dean,	Hall,
Brown of Carroll,	Dickey,	Hamilton,
Brown of Oglethorpe,	Donalson,	Hardeman,
Euchannon,	Dorminy,	Harris,
Burkhalter,	Dunbar,	Haywood,
Burwell,	Duggan,	Heard,

Hill,	Moore,	Strickland,
Hines,	Morris,	Stubbs,
Holder,	Mundy,	Sumner,
Howard,	Nix,	Swilling,
Hubbard,	Nowell,	Taylor of Appling,
Huff,	Odum,	Taylor of Sumter,
Huie,	Orr,	Terrell,
Hullender,	Parker,	Thorne,
Jackson,	Parrish,	Thurman,
Johnson of Jasper,	Payton,	Tift,
Johnson of Jeff Davis	Perry,	Townsend,
Johnson of Towns,	Persons,	Tracy,
Jones of Meriwether,	Peterson,	Trent,
Jones of Mitchell,	Pope of Brooks,	Tuggle,
Keith,	Pope of Dade,	Tyson,
Kendall,	Powell,	Walker of Lowndes,
Kendrick,	Price of Bartow,	Walker of Milton,
Lee,	Price of Oconee,	Walker of Wash'gton,
Lively,	Reid of Macon,	Ward,
Lumsden,	Reid of Putnam,	Warnell,
Lunsford,	Reid of Wilcox,	Watkins,
Matthews,	Rogers,	White of Madison,
MacFarland,	Rountree,	White of Screven,
McCarthy,	Russell,	Whitley,
McIntyre,	Ryals,	Williams,
McMahan,	Shaw,	Wilson,
McMichael,	Sheffield,	Wise,
McMullan,	Simmons,	Wootten,
McWilliams,	Slade,	Wright of Floyd,
Martin,	Slater,	Wynne,
Massengale,	Smith of Calhoun,	Young,
Maxwell,	Smith of Campbell,	Mr. Speaker,
Mays,	Stephens,	
Mercer,	Stewart,	

Those absent were Messrs.—

Atwater,

Wright of Richmond,

On motion of Mr. Tyson, of Emanuel, the reading of the Journal of yesterday's proceedings was dispensed with.

The following memorial was received from the Atlanta Federation of Trades, and read:

WHEREAS, There has been introduced in the session of the legislature an amendment to the bill now before the legislature for consideration, looking to the settlement of the convict lease, providing for the contracting of convicts; and,

WHEREAS, It is apparent to all that this amendment means that convicts can and may be leased in competition to free skilled labor; and,

WHEREAS, It is well known that an effort has been made in that direction from time to time; and,

WHEREAS, The working people of Atlanta have been vigorously and persistently fighting the convict lease as it is at present and in the past has been carried out, we view with still greater alarm the use that would be made of these convicts if this amendment is adopted;

Therefore, be it resolved that the Atlanta Federation of Trades enters its unqualified protest against the passage of any convict lease bill that carries with it the slightest intimation that convicts can or may be leased for any purpose, class or character of work.

Resolved, further, That we do vigorously protest against this amendment.

Resolved, further, That the President of the Fed-

eration present a copy of these resolutions to the President of the Senate and the Speaker of the House of Representatives.

Mr. Barrett, of Stephens, moved that the House take a recess subject to the call of the Speaker.

The House was again called to order by the Speaker.

Mr. Burwell, of Hancock, moved to adjourn, which motion prevailed.

The Speaker then announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

The roll was called and the following members answered to their names:

Adams of Chatham,	Atkinson,	Bowen,
Adams of Elbert,	Austin,	Boyd,
Adams of Wilkinson,	Ballard,	Brown of Carroll,
Adkins,	Barksdale,	Brown of Oglethorpe,
Alexander,	Barrett,	Buchannon,
Allen,	Barrow,	Burkhalter,
Anderson of Bulloch,	Bell,	Burwell,
Anderson of Cobb,	Berry,	Butt,
Arnold,	Blackburn,	Calbeck,
Ashley,	Bond,	Callaway,

Candler,	Guyton,	Nix,
Cannon,	Hall,	Nowell,
Chamlee,	Hamilton,	Odum,
Clark,	Hardeman,	Orr,
Clifton,	Harris,	Parker,
Collum,	Haywood,	Parrish,
Cook of Chat'hoochee,	Heard,	Payton,
Cook of Telfair,	Hill,	Perry,
Cooke of Thomas,	Hines,	Persons,
Covington,	Holder,	Peterson,
Couch,	Howard,	Pope of Brooks,
Cowan,	Hubbard,	Pope of Dade,
Crawford,	Huff,	Powell,
Crumbley,	Huie,	Price of Bartow,
Culbreth,	Hullender,	Price of Oconee,
Daniel,	Jackson,	Reid of Macon,
Davis	Johnson of Jasper,	Reid of Putnam,
Davison,	Johnson of Jeff Davis	Reid of Wilcox,
Dean,	Johnson of Towns,	Rogers,
Dickey,	Jones of Meriwether,	Rountree,
Donalson,	Jones of Mitchell,	Russell,
Dorminy,	Keith,	Ryals,
Dunbar,	Kendall,	Shaw,
Duggan,	Kendrick,	Sheffield,
Pykes,	Lee,	Simmons,
Eaves,	Lively,	Slade,
Edmondson,	Lumsden,	Slater,
Edwards,	Lunsford,	Smith of Calhoun,
Ellison,	Matthews,	Smith of Campbell,
Estes,	MacFarland,	Stephens,
Fagan,	McCarthy,	Stewart,
Flanders,	McIntyre,	Strickland,
Flannigan,	McMahan,	Stubbs,
Foster,	McMichael,	Sumner,
Fowler,	McMullan,	Swilling,
Fraser,	McWilliams,	Taylor of Appling,
Frier,	Martin,	Taylor of Sumter,
Fullbright,	Massengale,	Terrell,
Furr,	Maxwell,	Thorne,
Geer,	Mays,	Thurman,
Gibson,	Mercer,	Tift,
Glenn,	Moore,	Townsend,
Godley,	Morris,	Tracy,
Goode,	Mundy,	Trent,

Tuggle,	Watkins,	Wootten,
Tyson,	White of Madison,	Wright of Floyd,
Walker of Lowndes,	White of Screven,	Wynne,
Walker of Milton,	Whitley,	Young,
Walker of Wash'gton,	Williams,	Mr. Speaker,
Ward,	Wilson,	
Warnell,	Wise,	

Those absent were Messrs.—

Atwater,	Wright of Richmond,
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The following resolution was read to-wit:

By Messrs. Jones, of Meriwether; Tuggle, Slater,
and Anderson, of Bulloch—

WHEREAS, The House of Representatives did at the last regular session of the General Assembly, consider the convict question in open debate for two weeks, the same being considered in the Committee of the whole House, with free and unlimited debate, and,

WHEREAS, The House of Representatives did pass at the last session a bill to provide for the disposition of the convicts for a term of years, which bill was duly transmitted to the Senate for action at least ten days before date of adjournment; and,

WHEREAS, The Senate after formal request by the House, failed, and refused to consider said bill as passed by the House or act on any measure looking to a disposition of said question; and,

WHEREAS, The House of Representatives at the extraordinary session now assembled did, on the fourth day after the convening of same, pass a bill providing for a disposition of the convict question, which provided that all leasing be ended April 1st, 1909, provided the authorities could do so with any funds then in hand; and,

WHEREAS, The Senate adjourned on Friday, the date of the passage of the Holder bill until Monday following, and after adjournments and delays did take up the bill passed by the House and passed same by substitute; and,

WHEREAS, The House has never adjourned over or lost a single day from duty, except the 4th day of July; and,

WHEREAS, After the House and Senate disagreed on the bill of the House and substitute of the Senate; and,

WHEREAS, After this disagreement, the Senate refused to appoint a Conference Committee after request to do so by the House, from which refusal they finally receded, and did appoint at the request of the House four different Conference Committees three of which failed to agree; and,

WHEREAS, The last Conference Committee did after mature and thorough deliberation, both Committees making material concessions, did agree upon a compromise measure; and,

WHEREAS, The House of Representatives did by vote of 99 to 42 endorse the report of said Conference Committee as a compromise measure; and,

WHEREAS, The Senate by a vote of 21 to 16 refused even to consider the report of the Conference Committee, of which action the House has never been officially notified; and,

WHEREAS, The House at the last session of the General Assembly passed a bill by a vote of 147 to 3 providing for a Constitutional amendment to be submitted to the people for ratification that all leasing should end, which bill the Senate failed and refused to consider; and

WHEREAS, The House has nothing before it for consideration.

Resolved that the House stand adjourned until tomorrow morning at 10 o'clock, awaiting the action of the Senate.

Mr. Jones proposed to amend by adding after the words "and whereas the House has nothing before it for consideration" the words "which has not been previously proposed to the House in some form, and has been considered and acted upon by the House."

The previous question on the resolution and amendment was called and the main question ordered.

On the adoption of the resolution as amended, the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Edmondson,	Nowell,
Adams of Wilkinson,	Fagan,	Parrish,
Adkins,	Flanders,	Peterson,
Anderson of Bulloch,	Fowler,	Pope of Brooks,
Arnold,	Frier,	Pope of Dade,
Atkinson,	Fullbright,	Price of Oconee,
Austin,	Harris,	Rountree,
Barrett,	Haywood,	Simmons,
Berry,	Heard,	Slade,
Blackburn,	Hill,	Slater,
Brown of Carroll,	Holder,	Stewart,
Brown of Oglethorpe,	Hubbard,	Taylor of Appling,
Butt,	Hullender,	Thorne,
Calbeck,	Jones of Meriwether,	Tuggle,
Callaway,	Keith,	Tyson,
Cannon,	Kendrick,	Walker of Lowndes,
Clark,	Lively,	Walker of Wash'gton,
Clifton,	Lumsden,	Watkins,
Crawford,	McMahan,	Whitley,
Culbreth,	McWilliams,	Williams,
Davison,	Martin,	Wilson,
Dorminy,	Mays,	Wise,
Dunbar,	Nix,	

Those voting in the negative were Messrs.—

Alexander,	Dean,	Jackson,
Anderson of Cobb,	Duggan,	Johnson of Towns,
Ballard,	Edwards,	MacFarland,
Barrow,	Estes,	McCarthy,
Bell,	Flahnigan,	McIntyre,
Bowen,	Foster,	Moore,
Boyd,	Furr,	Orr,
Buchannon,	Gibson,	Perry,
Candler,	Glenn,	Reid of Putnam,
Cooke of Thomas,	Godley,	Rogers,
Covington,	Goode,	Shaw,
Couch,	Guyton,	Sheffield,
Cowan,	Hines,	Smith of Campbell,
Davis,	Huie,	Stubbs,

Swilling,
Taylor of Sumter,
Thurman,

Tracy,
Walker of Milton,
White of Madison,

White of Screven,
Wynne,
Young,

Those not voting were Messrs.—

Adams of Elbert,	Hamilton,	Powell,
Allen,	Hardeman,	Price of Bartow,
Ashley,	Howard,	Reid of Macon,
Atwater,	Huff,	Reid of Wilcox,
Barksdale,	Johnson of Jasper,	Russell,
Bond,	Johnson of Jeff Davis	Ryals,
Burkhalter,	Jones of Mitchell,	Smith of Calhoun,
Burwell,	Kendall,	Stephens,
Chamlee,	Lee,	Strickland,
Collum,	Lunsford,	Sumner,
Cook of Chat'hoochee,	Matthews,	Terrell,
Cook of Telfair,	McMichael,	Tift,
Crumbley,	McMullan,	Townsend,
Daniel,	Massengale,	Trent,
Diekey,	Maxwell,	Ward,
Donalson,	Mercer,	Warnell,
Dykes,	Morris,	Wootten,
Eaves,	Mundy,	Wright of Floyd,
Ellison,	Odum,	Wright of Richmond,
Fraser,	Parker,	Mr. Speaker,
Geer,	Payton,	
Hall,	Persons,	

Ayes, 68. Nays, 51.

The roll-call was verified and on counting the votes it was found that the ayes were 68, nays, 51. The resolution was, therefore, adopted as amended.

Leave of absence was granted Mr. Burwell, of Hancock; Mr. Ellison, Mr. Eaves.

The Speaker announced the House adjourned until 10 o'clock tomorrow morning.

ATLANTA, GA.

FRIDAY, September 11, 1908.

The House met pursuant to adjournment at 10 o'clock a. m., this day, was called to order by the Speaker, and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Calbeck,	Edmondson,
Adams of Elbert,	Callaway,	Edwards,
Adams of Wilkinson,	Candler,	Ellison,
Adkins,	Cannon,	Estes,
Alexander,	Chamlee,	Fagan,
Allen,	Clark,	Flanders,
Anderson of Bulloch,	Clifton,	Flannigan,
Anderson of Cobb,	Collum,	Foster,
Arnold,	Cook of Chat'hoochee,	Fowler,
Ashley,	Cook of Telfair,	Fraser,
Atkinson,	Cooke of Thomas,	Frier,
Austin,	Covington,	Fullbright,
Ballard,	Couch,	Furr,
Barksdale,	Cowan,	Geer,
Barrett,	Crawford,	Gibson,
Barrow,	Crumbley,	Glenn,
Bell,	Culbreth,	Godley,
Berry,	Daniel,	Goode,
Blackburn,	Davis,	Guyton,
Bond,	Davison,	Hall,
Bowen,	Dean,	Hamilton,
Boyd,	Dickey,	Hardeman,
Brown of Carroll,	Donalson,	Harris,
Brown of Oglethorpe,	Dorminy,	Haywood,
Buchannon,	Dunbar,	Heard,
Burkhalter,	Duggan,	Hill,
Burwell,	Dykes,	Hines,
Butt,	Eaves,	Holder,

Howard,	Mundy,	Stubbs,
Hubbard,	Nix,	Sumner,
Huff,	Nowell,	Swilling,
Huie,	Odum,	Taylor of Appling,
Hullender,	Orr,	Taylor of Sumter,
Jackson,	Parker,	Terrell,
Johnson of Jasper,	Parrish,	Thorne,
Johnson of Jeff Davis	Payton,	Thurman,
Johnson of Towns,	Perry,	Tift,
Jones of Meriwether,	Persons,	Townsend,
Jones of Mitchell,	Peterson,	Tracy,
Keith,	Pope of Brooks,	Trent,
Kendall,	Pope of Dade,	Tuggle,
Kendrick,	Powell,	Tyson,
Lee,	Price of Bartow,	Walker of Lowndes,
Lively,	Price of Oconee,	Walker of Milton,
Lumsden,	Reid of Macon,	Walker of Wash'gton,
Lunsford,	Reid of Rutnam,	Ward,
Matthews,	Reid of Wilcox,	Warnell,
MacFarland,	Rogers,	Watkins,
McCarthy,	Rountree,	White of Madison,
McIntyre,	Russell,	White of Screven,
McMahan,	Ryals,	Whitley,
McMichael,	Shaw,	Williams,
McMullan,	Sheffield,	Wilson,
McWilliams,	Simmons,	Wise,
Martin,	Slade,	Wootten,
Massengale,	Slater,	Wright of Floyd,
Maxwell,	Smith of Calhoun,	Wynne,
Mays,	Smith of Campbell,	Young,
Merceer,	Stephens,	Mr. Speaker,
Moore,	Stewart,	
Morris,	Strickland,	

Those absent were Messrs.—

Atwater,

Wright of Richmond,

The Journal of yesterday's proceedings was read and confirmed.

Mr. Wise moved that the House take a recess subject to the call of the Speaker.

On the adoption of the motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Arnold,	Flanders,	Nix,
Atkinson,	Fowler,	Nowell,
Austin,	Fraser,	Parrish,
Barrett,	Glenn,	Peterson,
Barrow,	Goode,	Pope of Brooks,
Bell,	Hardeman,	Price of Oconee,
Berry,	Harris,	Reid of Wilcox,
Brown of Carroll,	Haywood,	Simmons,
Brown of Oglethorpe,	Heard,	Slade,
Calbeck,	Hill,	Slater,
Callaway,	Holder,	Smith of Calhoun,
Cannon,	Hubbard,	Stephens,
Chamlee,	Huff,	Stewart,
Clark,	Hullender,	Taylor of Appling,
Clifton,	Jones of Meriwether,	Thorne,
Collum,	Kendrick,	Trent,
Couch,	Lively,	Tyson,
Crawford,	Lumsden,	Walker of Wash'gton,
Culbreth,	Matthews,	Watkins,
Davison,	McIntyre,	White of Madison,
Dickey,	McMahan,	Wilson,
Dorminy,	Martin,	Wise,
Edmondson,	Mays,	

Those voting in the negative were Messrs.—

Adams of Wilkinson,	Buchannon,	Edwards,
Adkins,	Candler,	Estes,
Alexander,	Cooke of Thomas,	Flannigan,
Anderson of Cobb,	Covington,	Foster,
Ballard,	Duggan,	Frier,
Bowen,	Dykes,	Furr,

Gibson,	McCarthy,	Stubbs,
Godley,	Massengale,	Swilling,
Guyton,	Moore,	Taylor of Sumter,
Hines,	Perry,	Thurman,
Huie,	Pope of Dade,	Tracy,
Jackson,	Price of Bartow,	Walker of Milton,
Johnson of Towns,	Reid of Putnam,	Williams,
Keith,	Rogers,	Wynne,
Kendall,	Shaw,	Young,
MacFarland,	Smith of Campbell,	

Those not voting were Messrs.—

Adams of Chatham,	Ellison,	Persons,
Adams of Elbert,	Fagan,	Powell,
Allen,	Fullbright,	Reid of Macon,
Anderson of Bulloch,	Geer,	Rountree,
Ashley,	Hall,	Russell,
Atwater,	Hamilton,	Ryals,
Barksdale,	Howard,	Sheffield,
Blackburn,	Johnson of Jasper,	Strickland,
Bond,	Johnson of Jeff Davis	Sumner,
Boyd,	Jones of Mitchell,	Terrell,
Burkhalter,	Lee,	Tift,
Burwell,	Lunsford,	Townsend,
Butt,	McMichael,	Tuggle,
Cook of Chat'hoochee,	McMullan,	Walker of Lowndes,
Cook of Telfair,	McWilliams,	Ward,
Cowan,	Maxwell,	Warnell,
Crumbley,	Mercer,	White of Screven,
Daniel,	Morris,	Whitley,
Davis,	Mundy,	Wootten,
Dean,	Odum,	Wright of Floyd,
Donalson,	Orr,	Wright of Richmond,
Dunbar,	Parker,	Mr. Speaker,
Eaves,	Payton,	

Ayes, 68. Nays, 47

The roll-call was verified and on counting the votes

it was found that the ayes were 68, nays 47 The motion was, therefore, carried and the House took a recess subject to the call of the Speaker.

At 12:30 o'clock the House was again called to order by the Speaker.

The following resolution was read and adopted:

By Mr. Perry—

A resolution that the House adjourn until tomorrow morning at 10 o'clock and that no business be transacted on tomorrow except reading bills the first and second times and that all members having urgent business at home be excused without formal application.

Leave of absence was granted the following:

Mr. Simmons, Mr. Swilling, Mr. Jackson.

The Speaker announced the House adjourned until tomorrow morning at 10 o'clock.

ATLANTA, GA.

SATURDAY, September 12, 1908.

The House met pursuant to adjournment at 10 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by Rev R. F Eakes.

By unanimous consent the roll-call was dispensed with.

The Journal of yesterday's proceedings was read and confirmed.

The following Senate bill was read the first time and appropriately referred.

By Mr. Felder of the 22nd district—

A bill to provide for the disposition and working of felony convicts on public roads.

Penitentiary.

By unanimous consent the following bill of the House was withdrawn from the Committee on General Judiciary, read the second time and re-committed.

By Mr. Estes—

A bill to abolish the leasing of convicts in Georgia
and for other purposes.

On motion of Mr. Trent, the Speaker announced
the House adjourned until Monday morning at 10
o'clock.

ATLANTA, GA.

MONDAY, September 14, 1908.

The House met pursuant to adjournment, this day, at 10 o'clock, a. m., was called to order by the Speaker and opened with prayer by Rev R. F Eakes.

By unanimous consent the roll-call was dispensed with.

By unanimous consent the reading of the Journal of Saturday's proceedings was dispensed with.

The following resolutions were read and adopted.

By Messrs. Candler, Tyson and Holder—

A resolution—

Resolved by the House of Representatives, the Senate concurring, That the General Assembly has heard with profound regret of the death of Dr. H. H. Smith, father of His Excellency, the Governor.

Resolved, further, That the sympathy of the General Assembly be tendered the Governor and his family

By Messrs. Candler, Tyson and Holder—

A resolution:

Resolved, That as further evidence of the sym-

pathy of the House of Representatives with the Governor, in the death of his father, Dr. H. H. Smith, this House do adjourn until 3 o'clock this afternoon.

In accordance with the above resolution the Speaker announced the House adjourned until 3 o'clock this afternoon.

3 o'clock.

The House reconvened at this hour and was called to order by the Speaker.

By unanimous consent the roll-call was dispensed with.

The following message was received from the Senate through Mr. Northen, the Secretary thereof:

Mr Speaker:

I am instructed by the Senate to inform the House that the Senate has rejected the report of the Conference Committee on the differences of the two Houses on House bill No. 1.

The following bill of the House was read the third time.

By Mr. Alexander—

A bill to dispose of the felony convicts after March 31st, 1909.

On motion of Mr. Holder, the bill was tabled.

Leave of absence was granted Mr. Mundy.

On motion of Mr. Moore, the Speaker announced the House adjourned until tomorrow at 12 o'clock, noon.

ATLANTA, GA.

TUESDAY, September 15, 1908.

The House met pursuant to adjournment at 12 o'clock, m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names.

Adams of Chatham,	Calbeck,	Edwards,
Adams of Elbert,	Callaway,	Ellison,
Adams of Wilkinson,	Candler,	Estes,
Adkins,	Cannon,	Fagan,
Alexander,	Chamlee,	Flanders,
Allen,	Clark,	Flannigan,
Anderson of Bulloch,	Clifton,	Foster,
Anderson of Cobb,	Collum,	Fowler,
Arnold,	Cook of Chat'hoochee,	Fraser,
Ashley,	Cook of Telfair,	Frier,
Atkinson,	Cooke of Thomas,	Fullbright,
Atwater,	Covington,	Furr,
Austin,	Couch,	Geer,
Ballard,	Cowan,	Gibson,
Barksdale,	Crawford,	Glenn,
Barrett,	Crumbley,	Godley,
Barrow,	Culbreth,	Goode,
Bell,	Daniel,	Guyton,
Berry,	Davis,	Hall,
Blackburn,	Davison,	Hamilton,
Bond,	Dean,	Hardeman,
Bowen,	Dickey,	Harris,
Boyd,	Donalson,	Haywood,
Brown of Carroll,	Dorminy,	Heard,
Brown of Oglethorpe,	Dunbar,	Hill,
Buchannon,	Duggan,	Hines,
Burkhalter,	Pykes,	Holder,
Burwell,	Eaves,	Howard,
Butt,	Edmondson,	Hubbard,

Huff,	Nix,	Stubbs,
Huie,	Nowell,	Sumner,
Hullender,	Odum,	Swilling,
Jackson,	Orr,	Taylor of Appling,
Johnson of Jasper,	Parker,	Taylor of Sumter,
Johnson of Jeff Davis	Parrish,	Terrell,
Johnson of Towns,	Payton,	Thorne,
Jones of Meriwether,	Perry,	Thurman,
Jones of Mitchell,	Persons,	Tift,
Keith,	Peterson,	Townsend,
Kendall,	Pope of Brooks,	Tracy,
Kendrick,	Pope of Dade,	Trent,
Lee,	Powell,	Tuggle,
Lively,	Price of Bartow,	Tyson,
Lumsden,	Price of Oconee,	Walker of Lowndes,
Lunsford,	Reid of Macon,	Walker of Milton,
Matthews,	Reid of Putnam,	Walker of Wash'gton,
MacFarland,	Reid of Wilcox,	Ward,
McCarthy,	Rogers,	Warnell,
McIntyre,	Rountree,	Watkins,
McMahan,	Russell,	White of Madison,
McMichael,	Ryals,	White of Screven,
McMullan,	Shaw,	Whitley,
McWilliams,	Sheffield,	Williams,
Martin,	Simmons,	Wilson,
Massengale,	Slade,	Wise,
Maxwell,	Slater,	Wootten,
Mays,	Smith of Calhoun,	Wright of Richmond,
Mercer,	Smith of Campbell,	Wright of Floyd,
Moore,	Stephens,	Wynne,
Morris,	Stewart,	Young,
Mundy,	Strickland,	Mr. Speaker,

The Journal of yesterday's proceedings was read and confirmed.

The following message was received from the Senate through Mr. Northen, the Secretary thereof:

Mr Speaker:

The Senate has concurred in the following resolution of the House to-wit:

A resolution tendering the sympathy of the **General** Assembly to the Governor in the death of his **father**, Dr. H. H. Smith.

On motion of Mr. Barrett, the Speaker announced **the** House adjourned until 3 o'clock this afternoon.

3 o'clock.

The House reconvened at this hour and was called **to** order by the Speaker.

By unanimous consent the roll-call was dispensed **with**.

The following memorials were read:

To the General Assembly of Georgia:

As citizens of this State we beg to respectfully **submit** for your consideration the following:

First.—We believe the convict lease question now **under** consideration to be the most important **matter** that has been before your body; and that issues **involving** the character and good name of our State **are** at stake in the solution thereof.

Second.—We believe that the exhaustive and **impartial** investigation conducted by your direction **clearly** establishes that the lease system is both **inhuman** and inefficient.

Third.—We believe that the disinterested people of Georgia to whom this question really belongs, and who must bear the expense incurred in its solution, are a unit in condemning every feature of the lease system. And we believe that the people of this State are practically unanimous in asking legislation at your hands which will prohibit the leasing of convicts after the expiration of the present contracts, either directly or under the guise of contract labor.

Fourth.—We believe our people are willing to bear any proper expense necessary to save our State from further dishonor in connection with the handling of her criminals and unfortunates.

Fifth.—The onus of this question falls at last upon the people of this State. Their good name is in your keeping, and when the overwhelming majority earnestly desire that right be done at any cost, we can not afford to cavil over the expense.

Sixth.—We ask you to consider that this is a question which must finally be settled by the legislature. It will cost less to settle it now than in the future. The expense must be borne this year, or next anyway, and you have already given it much valuable time, which will all be lost if you adjourn without action.

Seventh.—We adjure you, gentlemen, whatever the cost, of time or of money, to settle this question before you adjourn.

Signed

George Muse
Geo. E. King
C. D. McKinney
B. J. Eiseman
W. M. Crumley
Chas. E. Harman
Geo. B. Saunders
Jacob W. Patterson
Frank M. Inman
J. R. Whitman
Frank S. Ellis
R. E. O'Donnelly
Warren A. Candler
Milton A. Smith
H. C. Bagley
W. P. Patillo
E. E. Pomeroy
W. T. Ashford
Hudson Moore
W. R. Hammond
B. M. Blount
Arnold Broyles
W. C. Mansfield
W. O. Foote
John A. Brice
A. R. Colcord
Alf Truitt
W. B. Disbro
W. D. Manley
A. P. Coles
C. E. Currier
J. W. Andrews
H. Y. McCord
B. L. Willingham
W. S. Duncan
W. E. Newill
J. K. Orr
J. H. Nunnally
F. O. Foster
Chas. D. Tuller
Wilmer L. Moore
Jos. A. McCord

W. S. Byck
R. C. Black
Jno. F. Purser
E. G. Willingham
W. M. Kirkpatrick
Jas. W. Austin
Courtland S. Winn
E. L. Douglas
F. I. Stone
F. W. Stone
A. W. Farlinger
M. T. LaHatte
M. M. Davies
Geo. E. Knott
W. G. Cooper
W. F. Upshaw
Jerome Silvey
L. A. Ransom
Jos. T. Orme
John S. Owens
W. H. Patterson
G. B. Hinman
E. R. DuBose
Jno. J. Eagan
H. S. Johnson
E. C. Callaway
R. J. Guinn
Sam'l A. Carter
Richard Orme Flinn
Thomas P. Hinman
W. F. Plane
Frank Hawkins
W. Woods White
H. L. Crumley
W. A. Simpson
H. M. Willett
Floyd W. McRae
H. A. Ethridge
Ernest C. Kontz
H. F. Garrett
R. F. Shedden
Craig Cofield

H. M. Atkinson
E. A. Hartsock
W. V. Ogletree
L. H. Beck
S. B. Turman
W. H. Brittain

H. B. Wey
A. C. McHan
W. S. Witham
L. Y. Sage
T. C. Erwin
D. G. W. Roberts

To the General Assembly of Georgia:

For years the organized working men of Georgia, in conventions and in local meetings of the different organizations, have protested against the convict lease system. We now ask and urge our friends in the legislature of Georgia to use their utmost endeavors to abolish this iniquitous system forever in our State.

At the last convention of the State Federation of Labor, held in Macon, June 17th to 20th, 1908, strong resolutions were unanimously adopted protesting against the convict lease system, and the following resolutions from central bodies in different cities. Numerous resolutions have been passed by different locals affiliated with the State Federation of Labor protesting against the convict lease system.

In the interest of free labor, in the interest of humanity, in the interest of justice and right, we request and urge our representatives in the State legislature to abolish the convict lease system in Georgia.

B. LEE SMITH,
President State Federation of Labor.

W. C. PUCKETT,
Secretary

Also the following communications were read:

Augusta, Ga., September 14, 1908.

B. Lee Smith, Atlanta Georgian,
Atlanta, Ga.

Resolved by Augusta Central Trades Council that we are unalterably opposed to the convict leasing system as permitted under our State laws at present, also that we are opposed to any measure which will allow convict labor in competition with free labor through leasing system or otherwise. Be it further resolved that this resolution be brought to the attention of our Senators and representatives and that they be requested to use their influence in securing legislation in keeping with same. Call to attention of representatives.

D. P. O'Connell.

Rome, Ga., September 11, 1908.

B. Lee Smith, President Georgia Federation of
Labor:
Atlanta, Ga.

At a largely attended meeting of this body last night the following resolutions were unanimously adopted. Be it resolved that this body representing the laboring people of this city go on record as strenuously opposing any bill placing convict labor in opposition to free labor, by lease or otherwise.

R. F. Thomas, President.

W. L. Funderburk, Secretary

Rome Central Labor Union.

Waycross, Ga., September 15, 1908.

B. Lee Smith, President,

Passed resolutions protesting against leasing convicts. Full resolutions by mail.

J. I. Waite.

WHEREAS, The leasing of convicts to sawmills, brick-yards, turpentine and other manufacturing companies places them in competition to free labor; and,

WHEREAS, It is nothing but a species of chattel slavery and a disgrace to the great State of Georgia. **Now, therefore**, be it resolved by the laboring men of Ware county, that we do enter our most solemn protest against the passage of any bill by the legislature of Georgia by which the convicts of the State may be sold or leased to any corporation or private parties to work in competition to free labor.

N. S. Rogers, President.

J. I. Waite, Recording Sec'y
Carpenter's Union 779.

Henry Agatham, President.

W. S. Bradley Recording Sec.
Painter's Union 607

The following message was received from the Senate through Mr. Northen, the Secretary thereof:

Mr. Speaker:

The Senate has passed by the requisite Constitu-

tional majority the following Senate bill, to-wit:

A bill to provide for future employment of felony **and** misdemeanor male convicts upon the public **roads** and for other purposes.

The following resolution was read and appropriately referred:

By Mr. Barrow—

A resolution to limit debate upon any question to **ten** minutes to each member speaking.

Rule.

The following bill of the Senate was read the first **time**:

By Mr. Born, of the 34th district—

A bill to provide for the future employment of the **felony** and misdemeanor convicts upon the public **roads** of the several counties of this State except **certain** classes.

Mr. Holder moved that the above bill be referred **to** the Committee on Penitentiary.

Mr. Perry offered the following substitute to the **motion** to commit to the Committee on Penitentiary.

That Senate bill No. 5 be committed to a special

Committee of 7, to be appointed by the Speaker. Said Committee to represent as far as practicable the various different views on the proper disposition of the convicts of this State and that said Committee be instructed to report said bill with its action thereon not later than 10 o'clock a. m., Wednesday the 16th instant.

The previous question was called by Mr. Jackson and the main question was ordered. The motion to commit to the Committee on Penitentiary prevailed and the bill was so committed.

On motion of Mr. Huff, the Speaker announced the House adjourned until 10 o'clock tomorrow

ATLANTA, GA.

WEDNESDAY, September 16th, 1908.

The House met pursuant to adjournment this day at 10 o'clock was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

The following resolution was read, and lay on the table one day.

By Mr. White, of Screven—

A resolution that the House of Representatives adjourn sine die not later than 4 p. m. Friday, Senate concurring.

By unanimous consent the following bills of the Senate were withdrawn from the Committee on Penitentiary, read the second time and recommitted:

By Mr. Born of the 34th district—

A bill to provide for the future employment of the felony and misdemeanor convicts upon the public roads of several counties of this State except certain classes.

By Mr. Felder of the 22nd district—

A bill to provide for the disposition and working of the felony convicts on the public roads and for other purposes.

By unanimous consent two hundred copies of the bill and amendments to be reported by the Penitentiary Committee were ordered printed.

On motion of Mr. Wise, the Speaker announced the House adjourned until tomorrow morning at 9 o'clock.

ATLANTA, GA.

THURSDAY, Sept. 17, 1908.

The House met pursuant to adjournment this day at 9 o'clock a. m., was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

The Journal of yesterday's proceedings was read and confirmed.

The following resolution was read and adopted with instructions that it be immediately transmitted to President Roosevelt.

By Mr. Wright, of Richmond—

Whereas, a vacancy in the position of Commissioner of the National Park at Chicamauga, has been occasioned by the death of General A. P. Stewart, be it

Resolved by the House of Representatives, the Senate concurring that it is the sense of the people of the State of Georgia that this position should be filled by some eminent citizen of this State, in which is located the larger portion of this National Park.

Be it further resolved that of all of the distinguished sons of this Commonwealth, every consid-

eration naturally and overwhelmingly points to the Hon. Joseph B. Cumming, of Augusta, Georgia, as being preeminently the man for the place. He was a Confederate soldier and officer and as such took a conspicuous part in the famous battles fought upon that historical field. He has, since the great war, represented in a broad and patriotic spirit all that is best in the social, political, and civic life of his State and country. He was largely instrumental in inducing the State of Georgia to erect in that Park the splendid monument to the valor of Georgians, who, with their brave adversaries, sacrificed their lives upon that bloody field for what each believed to be right. It was he who wrote the memorable and patriotic lines engraven upon the sides of that shaft. A courtly and chivalrous Southern gentleman of the old school, a brave soldier, an eminent lawyer, a scholar and patriot, the President would honor the State and himself by the appointment of this illustrious son of the Commonwealth that gave birth to his own ancestors and now a resting place to the ashes of the heroes alike who wore the blue and the gray.

On motion of Mr. Wright, of Richmond, the resolution was ordered to be immediately transmitted to the Senate.

On motion of Mr. Trent the House took a recess subject to the call of the Speaker.

At 9:45 a. m. the House was again called to order by the Speaker.

On motion of Mr. Fullbright the Speaker announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

By unanimous consent the call of the roll was dispensed with.

The following message was received from the Senate through Mr. Northen, the Secretary thereof:

Mr. Speaker:

The Senate has concurred in the following House resolution, as amended, to-wit:

A resolution providing for the indexing of the Journals of the House and Senate for the extraordinary session of the General Assembly of 1908.

The following message was received from the Senate through Mr. Northen, the Secretary thereof:

Mr. Speaker:

The Senate has concurred in the following resolution of the House, to-wit:

A resolution that it is the sense of the people of

Georgia that Hon. Jos. B. Cummings should be appointed Commissioner of the National Park of Chicamauga.

By unanimous consent the following resolution was taken up for the purpose of concurring in a Senate amendment.

By Mr. Candler—

A resolution to provide for the indexing of the Journals of the House and Senate for the extraordinary session of 1908.

The following Senate amendment was read and concurred in:

To amend resolution by striking the name, Guerry Brannon in line three of resolution and insert in lieu thereof the name of Charles F Rice.

On motion of Mr. Wise the House took a recess subject to the call of the Speaker.

The House was again called to order by the Speaker.

Mr. Slaton, Chairman ex-officio of the Committee on Rules, submitted the following report:

Mr. Speaker:

The Committee on Rules have had under consideration the following resolution and instruct me as

their chairman, ex-officio, to report the same back with the recommendation that it do pass.

By Mr. Barrow—

A resolution limiting debate to ten minutes to each member speaking.

Respectfully submitted,
JOHN M. SLATON, Chairman ex-officio.

The following resolution, recommended favorably by the Committee on Rules was taken up and adopted:

By Mr. Barrow—

A resolution to limit debate upon any question to ten minutes to each member speaking.

Mr. Holder, chairman of the Committee on Penitentiary, submitted the following report:

Mr. Speaker:

Your Committee on Penitentiary have had under consideration the following bill of the Senate and instructed me as their chairman to report same back to the House with the recommendation that same do not pass, to-wit:

A bill to provide for the disposition and working of felony convicts on public roads.

Also the following bill of the Senate with the

recommendation that same do pass by substitute, to-wit:

A bill to provide for the future employment of convicts, to amend Section 1039 of the Code and for other purposes.

Respectfully submitted,
J N. HOLDER, Chairman.

By unanimous consent the following bill of the Senate was read the third time:

By Mr. Born, of the 34th District—

A bill to provide for the future employment of convicts; to amend Section 1039 of the Code and for other purposes.

By unanimous consent the substitute to above Senate bill as offered by the Committee on Penitentiary was also read.

On motion of Mr. Holder, two hundred copies of the Committee substitute to Senate bill No. 5 were ordered printed.

By unanimous consent the House after adjournment meets tomorrow morning at 9 o'clock.

By unanimous consent the session of the House was extended after 5 o'clock p. m. for the purpose of finishing the reading of the Committee substi-

tute for Senate bill No. 5; also for the purpose of reading and referring the following resolution:

By Mr. Smith, of Campbell—

A resolution that the resolution in regard to convict orders be made a special and continuing order for Thursday, September 17th, to follow Senate bill No. 5.

Referred to Committee on Rules.

On motion of Mr. Nix, the Speaker announced the House adjourned until tomorrow at 9 o'clock.

ATLANTA, GA.

FRIDAY, Sept. 18, 1908.

The House met pursuant to adjournment this day at 9 o'clock, a. m., was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Calbeck,	Edwards,
Adams of Elbert,	Callaway,	Ellison,
Adams of Wilkinson,	Candler,	Estes,
Adkins,	Cannon,	Fagan,
Alexander,	Chamlee,	Flanders,
Allen,	Clark,	Flannigan,
Anderson of Bulloch,	Clifton,	Foster,
Anderson of Cobb,	Collum,	Fowler,
Arnold,	Cook of Chat'hoochee,	Fraser,
Ashley,	Cook of Telfair,	Frier,
Atkinson,	Cooke of Thomas,	Fullbright,
Atwater,	Covington,	Furr,
Austin,	Couch,	Geer,
Ballard,	Cowan,	Gibson,
Barksdale,	Crawford,	Glenn,
Barrett,	Crumbley,	Godley,
Barrow,	Culbreth,	Goode,
Bell,	Daniel,	Guyton,
Berry,	Davis,	Hall,
Blackburn,	Davison,	Hamilton,
Bond,	Dean,	Hardeman,
Bowen,	Dickey,	Harris,
Boyd,	Donalson,	Haywood,
Brown of Carroll,	Dorminy,	Heard,
Brown of Oglethorpe,	Dunbar,	Hill,
Buchannon,	Duggan,	Hines,
Burkhalter,	Dykes,	Holder,
Burwell,	Eaves,	Howard,
Butt,	Edmondson,	Hubbard,

Huff,	Nix,	Stubbs,
Huie,	Nowell,	Sumner,
Hullender,	Odum,	Swilling,
Jackson,	Orr,	Taylor of Appling,
Johnson of Jasper,	Parker,	Taylor of Sumter,
Johnson of Jeff Davis	Parrish,	Terrell,
Johnson of Towns,	Payton,	Thorne,
Jones of Meriwether,	Perry,	Thurman,
Jones of Mitchell,	Persons,	Tift,
Keith,	Peterson,	Townsend,
Kendall,	Pope of Brooks,	Tracy,
Kendrick,	Pope of Dade,	Trent,
Lee,	Powell,	Tuggle,
Lively,	Price of Bartow,	Tyson,
Lumsden,	Price of Oconee,	Walker of Lowndes,
Lunsford,	Reid of Macon,	Walker of Milton,
Matthews,	Reid of Putnam,	Walker of Wash'gton,
MacFarland,	Reid of Wilcox,	Ward,
McCarthy,	Rogers,	Warnell,
McIntyre,	Rountree,	Watkins,
McMahan,	Russell,	White of Madison,
McMichael,	Ryals,	White of Screven,
McMullan,	Shaw,	Whitley,
McWilliams,	Sheffield,	Williams,
Martin,	Simmons,	Wilson,
Massengale,	Slade,	Wise,
Maxwell,	Slater,	Wootten,
Mays,	Smith of Calhoun,	Wright of Floyd,
Mercer,	Smith of Campbell,	Wright of Richmond,
Moore,	Stephens,	Wynne,
Morris,	Stewart,	Young,
Mundy,	Strickland,	Mr. Speaker,

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

On motion of Mr. Ryals, the following memorial of the Central Labor Union of Macon, Georgia, was read:

At the regular meeting of the Central Labor

Union held at their hall September the 15th, 1908, the following resolutions were unanimously passed:

Resolved, That a committee of three (3) be appointed by the president to communicate with the Senate and House of Representatives at once, and urge them to take such action on the pending measures now before their honorable bodies as will at once end the lease system of the convicts now in force, thereby making it impossible for them to be brought in conflict with the wage-workers of the State.

Resolved, That, Whereas the wage-workers throughout the State of Georgia—good citizens and tax payers—have stood by in idleness and seen criminals occupying positions that they could have filled, thus enabling them to provide for their wives and little ones, and thereby not only helping them, but also helping the business of those who sell the necessities of life. We therefore enter our protest against this system and urge our representatives to so fix the law that the convicts be put on the highways, where they will not only be removed from competition with the labor interests, but will be of great benefit to the farming interests and all other citizens of the State.

JEHU G. POSTELL, Chairman.

C. T. WILLIAMSON.

W. J. BREADLOVE.

Committee.

Mr. Stubbs, vice-chairman of the Committee on Enrollment, submitted the following report:

Mr Speaker:

The following resolution of the House has been duly examined, properly signed and is now ready for delivery to the Governor.

A resolution to provide for the indexing of the Journals of the House and Senate for the extraordinary session of 1908.

Respectfully submitted,

J. B. STUBBS, Vice-Chairman.

Upon the request of Mr. Holder, chairman of the Committee on Penitentiary, and there being no objection, the following bill of the Senate which was read for the third time yesterday was taken up for consideration.

By Mr. Born, of the 34th District—

A bill to provide for the future employment of felony and misdemeanor convicts upon the public roads of the several counties of this State, except certain classes and for other purposes.

The following substitute was offered by the Committee on Penitentiary to Senate bill No. 5, referred to above.

A bill to be entitled an Act to provide for future

employment of felony and misdemeanor male convicts upon the public roads of the several counties of the State, except certain classes, and to provide for the employment of those not used upon such roads; to amend Section 1039 of the Code so far as the same relates to females, and to prevent the hiring of misdemeanor convicts to private persons; to make violations of certain provisions of this Act crimes, and to provide punishment therefor, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That Section 1039, Volume 3, of the Code of 1895, be amended by striking therefrom the words "or on such other works as the county authorities may employ the chain-gang," and inserting in lieu thereof the words "or on such other public works as the county or State authorities may employ the chaingang," and by adding to said Section the following words: "If the convict be a female, the presiding judge may, in his discretion, sentence her to confinement and labor in the woman's prison on the State Farm, in lieu of a chaingang sentence, not to exceed twelve months. *Provided*, that the trial judge shall have the discretion also of sending any person convicted of a misdemeanor to the State Farm." so that said Section, as amended, shall read as follows:

"Every crime declared to be a misdemeanor is punishable by a fine not to exceed one thousand

(\$1,000.00) dollars, imprisonment not to exceed six months, to work in the chaingang on the public roads, or on such other public works as the county or State authorities may employ the chaingang, not to exceed twelve months, and any one or more of these punishments in the discretion of the judge. *Provided*, that nothing herein contained shall authorize the giving the control to private persons, or their employment by the county or State authorities in such mechanical pursuits as will bring the products of their labors into competition with the products of free labor. If the convict be a female, the judge may, in his discretion, sentence her to labor and confinement in the woman's prison on the State Farm, in lieu of a chaingang sentence, not to exceed twelve months. *Provided*, that the trial judge shall have the discretion also of sending any person convicted of a misdemeanor to the State Farm."

SEC. 2. Be it further enacted, That all male felony convicts, except such as are now required by law to be kept at the State Farm, may, after March 31st, 1909, be employed, by the authority of the several counties, and municipalities, upon the public roads, bridges or other public works of said counties or municipalities, as hereinafter provided. On or before the tenth day of February, 1909, and annually thereafter prior to the 10th of February, the Prison Commission shall communicate with the county authorities of the State and ascertain those counties desiring to use convict labor upon their public roads, and said counties shall, through their

proper authorities advise the Prison Commission in writing, stating whether they desire to use such labor upon their roads and the number desired. The proportion of convicts which each county shall be entitled to, shall be ascertained by the Prison Commission, as provided in Act approved August 17th, 1903, except in those counties created since the last United States census, and those counties from which new counties have been created; their proportion shall be based upon the best information obtainable in regard to their population. Should any county desire to work more than its proportion of convicts upon its roads, the county authorities shall in writing, make requisition upon the Prison Commission for the number wanted in excess of their proportion, and the Prison Commission shall furnish the number so required, to be paid for by the counties as hereinafter provided. This provision as to counties hiring convicts shall also extend to municipalities of the State, which desire to utilize such labor upon their streets or other public works. Any two or more of said counties of this State may combine for the purpose of working and improving the roads of their respective counties, by and with the consent and approval of the Prison Commission. In proportioning the convicts to the several counties, the Prison Commission shall have the power, in their discretion, to award the convicts to other counties than the one in which the conviction was had. A county shall have the right, upon the approval of the Prison Commission, to deliver

its quota of felony convicts, together with its misdemeanor convicts, to another county, to be used in the construction and repair of public roads, bridges or other public works, and the county so receiving such convicts, shall have the right to compensate the county from which the convicts came, with work upon its public roads, bridges or other public works, or by the exchange of an equal number of convicts.

SEC. 3. Be it further enacted, That any county which has not taken its quota of convicts may at any time apply to the Commission for them, and the Commission may as early as practicable furnish the county with its quota of convicts.

SEC. 4. Be it further enacted, That if all convicts are not disposed of under the preceding Sections, the Prison Commission is hereby authorized to place convicts in counties desiring to use them in excess of their quota. Counties shall have the right to use as many convicts as they desire, upon the terms and conditions as in this Act provided; *provided*, that in the event the request by counties should exceed the number of convicts on hand, they shall be prorated between those counties making application for same. In such case, the Prison Commission shall keep an accurate account of such excess of convicts, charging them to each county receiving them, and keeping an accurate account, showing the counties to which they would have gone had such county used its convicts, and crediting

them to such counties, which excess shall be paid back in convicts when the county so credited with convicts desires to use its convicts in the construction and repair of its roads, bridges or other public works.

SEC. 5. Be it further enacted, That the Prison Commission is hereby authorized, when in funds, to purchase road-working machinery, appliances and teams, and to equip and organize road-working forces, the same to be used for the construction and repair of public roads, bridges, or other public works in the counties not using their convicts under the foregoing Section when requested by the authorities of such counties so to do. The work to be done as far as practicable in proportion to the convicts which would have been assigned to each county in case the county had worked its convicts. The Commission may work in such counties as many more convicts in addition to said proportion as any county is willing to pay the expense of, and as the Commission may have at its disposal.

When the Prison Commission works any force of convicts in any county, such county shall pay the expense thereof including maintenance of equipment to the Commission of working the forces and shall buy the material required for the work done in the county, the county authorities of such county are hereby authorized to pay said expense out of any funds raised for road purposes. Accurate books of account shall be kept by the Prison Com-

mission of all work done, and expenses incurred. In all cases, provided for in this Section, the county authorities shall designate the roads to be so worked or constructed.

SEC. 6. Be it further enacted, That after the counties have been provided with convicts as set forth, and if there should remain any convicts not otherwise disposed of, then the privileges conferred upon counties herein shall be extended to municipalities of this State, which shall have the right to hire convicts from the Prison Commission in such numbers as might be agreed upon, at the price of one hundred (\$100.00) dollars per capita per annum.

SEC. 7 Be it further enacted, That if at any time after the expiration of the time in each year for the filing of requisition for such labor by the county authorities or municipalities as herein provided, should it appear that there still remain any convicts whose labor will not be used upon the public roads, bridges, or other public works, by the counties, municipalities, or by the State, and who should not be confined at the State Farm or Farms, the Prison Commission, with the consent and approval of the Governor, may use such remaining convicts in such way as in their discretion they may deem to the best interests of the State; *provided*, that no convict labor shall be used in competition with skilled mechanical free labor, and under no contract by the terms of which the contractor is interested in the

quantity of work a convict may be required to do per day; it being the fixed policy of this State that the control and management of its convicts, both felony and misdemeanor, shall never pass from it and its public officials into the control and management of any private corporation or person.

SEC. 8. Be it further enacted, That in exercising its discretion as to what convicts shall be employed upon the State Farm or Farms, and in awarding the labor of convicts to counties and municipalities, it shall be the duty of the Prison Commission when practicable to employ whites and negroes in separate institutions and locations and they shall be provided with separate eating and sleeping apartments; *provided*, that the Prison Commission shall have authority, in their discretion, to place any number of said convicts on the State Farm, to be used on said farm to do farm work, or such other labor as the Prison Commission may deem best; and the Commission may, at any time, when such labor is needed, upon the request of the authorities in charge, place as many as fifty of such convicts at work upon the property of any State institution.

SEC. 9. Be it further enacted, That this Act is not intended to repeal or alter any of the provisions of the Act approved December 21st, 1897, as amended by Act approved August 17th, 1903, as to the management, care and control of felony and misdemeanor convicts, and the duties and liabilities of the Prison Commission in regard thereto, except such

as are changed by this Act, and except that the Secretary of the Commission shall receive a salary of \$1,800.00 per annum, and he shall give his entire time to the service of the Commission, and shall be required to take an oath to faithfully discharge his duties, and give a bond in such amount as may be fixed by the Prison Commission payable to the Governor conditioned for the faithful performance of his duties; and the pay of the guards shall not exceed \$50.00 per month, and that of a warden \$100.00 per month; *provided*, that no person under the age of twenty-one years, and who does not furnish a certificate signed by three reputable citizens of his county, giving testimony of his good moral character, shall be employed as such warden, guard or other employee; and any such employee who shall make a false statement as to his age in order to procure such employment, shall be guilty of a misdemeanor and on conviction shall be punished as provided by law. No guard or warden shall be employed or retained who drinks intoxicating liquors to excess, and no warden, or guard shall be appointed who does not furnish a certificate from the ordinary of the county in which he resides, that he is, in the opinion of said ordinary, a humane, sober and honest man.

SEC. 10. Be it further enacted, That no warden, deputy warden, inspector, guard, physician, or any officer or other employee who has charge, control or direction of convicts, shall be in any manner whatever interested in the work or profit of the

labor of any convict, nor shall receive any pay, gift, gratuity or favor of a valuable character, from any person interested, either directly or indirectly in such labor. Any person guilty of the violation of the provisions of this Section shall be guilty of a felony, and upon conviction shall be punished by labor in the penitentiary for a term of not less than two years and not more than five years. Such offense may be reduced to a misdemeanor by recommendation of the jury trying the case, and the court shall concur in the jury recommendation, in addition to a summary discharge by the Prison Commission from the service of the State; *provided*, that the provisions of this Act shall not prohibit a camp physician from the regular practice of his profession. All wardens and physicians shall be required to take an oath to perform their duties under the law and rules of the Commission, before entering upon the discharge thereof, and wardens shall give a bond in such amount as the Prison Commission may fix.

SEC. 11. Be it further enacted, That it shall be unlawful for any person or official except as herein provided to hire to any other person or corporation any misdemeanor convict, and it shall be unlawful for any person or corporation to work any such misdemeanor convict so hired; and any person or corporation violating the provisions of this Section, shall, on conviction, be punished for a misdemeanor, it being the duty of the Prison Commission to institute prosecution for violations of this provision. It shall be the duty of the Prison Commission, upon

notice by the county authorities of any county of this State having misdemeanor convicts undisposed of under the law, and not having an established chaingang, and not working their misdemeanor convicts on the public roads, bridges or other public works, to dispose of the same as felony convicts are disposed of in this State, and the net funds so arising from the same shall be returned to said county authorities, to be placed in the county treasury

SEC. 12. Be it further enacted, That all convicts, whether sentenced for felony or misdemeanor crimes, and all convict camps, shall be under the direct supervision of the Prison Commission, which shall provide rules and regulations for the management, discipline and control of said convicts, and of said convict camps, subject to the approval of the Governor, and shall have lawful authority to summarily discharge for cause any employee having either care or charge of said convicts, or said convict camps, and it shall be the duty of the Prison Commission to require constant and thorough disinfection of the quarters of the convicts, and the observance and maintenance of sanitary rules and appliances.

SEC. 13. Be it further enacted, That any physician, warden, guard or other employee, who shall violate any of the provisions of this Act, except as otherwise herein provided, shall be guilty of a misdemeanor, and, on conviction, shall be punished as provided in Section 1039 of the Code; and it shall be

the duty of the Prison Commission to prosecute such person. Any warden, or other prison official, who shall cause any convict to do any work on Sunday, except works of necessity, shall be guilty of a misdemeanor, and punished as provided in Section 1039 of the Penal Code.

SEC. 14. Be it further enacted, That it shall be the duty of some member of the Prison Commission to make personal visits to the various convict camps of the State, including the county road gangs, every six months, and to make a thorough inspection of every detail of management, plan of operation, and treatment of convicts; said visits to be made unawares to the authorities in charge of the various camps.

SEC. 15. Be it further enacted, That the net proceeds arising from the disposition of convicts to municipalities or otherwise, shall be used by the Prison Commission in working convicts upon the public roads or public works of the counties which do not elect to take convicts as herein provided, at the option of the Prison Commission; and, in the event the Prison Commission may elect not to work the roads in any one or more of said counties, then the pro rata part of said funds for said counties shall be paid into their respective treasuries, to be used for road purposes only

SEC. 16. Be it further enacted, That, in order to carry into effect the terms of this Act, the Prison

Commission, with the approval of the Governor, is hereby authorized to purchase or lease, for a period of five years, with the option to purchase at any time, one or more tracts of land, located at some convenient point, for the purpose of working the convicts thereon; but before said tract or tracts of land is purchased or leased, advertisements asking for proposals shall be published in four of the daily papers of this State, and the abstract of title of said land approved by the Attorney-General.

SEC. 17 Be it further enacted, That the State farm be used as far as possible for the purpose of making supplies of all kinds for maintaining the convicts, either in farm products or manufacturing articles for the use of the convicts and the State Sanitarium and other State institutions, and all net profits arising from the State Farm be used in establishing a central penitentiary, for the purpose of working such vicious convicts as the Prison Commission may select. That after the State Farm and the central penitentiary have been sufficiently improved for all purposes, such other profits arising therefrom shall be used for the purpose of purchasing and improving such additional farm lands and property as may be necessary for maintaining and working the convicts of the State. The Prison Commission is authorized to purchase, out of any available fund over which they have control, a tract or tracts of land, in the same or different parts of the State, and erect thereon suitable buildings, stockade and appurtenances for the safe keeping and care of

those felony convicts not worked by the several counties and municipalities, and may also purchase such livestock, machinery, farm implements, furniture, etc., which may appear to be necessary to carry out the intentions of this Act. The Commission may confine at hard labor upon the Prison Farm or on lands purchased under this Section, convicts not engaged in work by the counties and municipalities, when not elsewhere engaged under the direction of the Commission, upon roads, bridges, or other public works, and the Commission is authorized to retain on said lands such convicts as are considered especially dangerous, and which it is not deemed safe to work upon public roads or public works. The Commission may, in connection with the farm work, use said convicts in such industrial enterprises as they may deem advisable, and to this end may employ the convicts in manufacturing such implements and equipments or other articles as may be needed for use on the State Farm or road, bridge or other public works, and in making shoes and clothing, and other articles for the use of the convicts and inmates of other State institutions, but the Commission shall not sell or offer for sale articles so manufactured to the public. In connection with any such work, the Commission is required to keep accurate and complete books and record, showing the products of such labor and the disposition thereof, and the expenses incident thereto, and the money derived from any sales of products, after paying the cost of production, shall be paid into the State treasury

SEC. 18. Be it further enacted, That if the Prison Commission has on hand convicts not provided for under the foregoing Sections of this bill, they are hereby authorized to rent one or more farms, after first obtaining option to purchase the same, for a period of not less than five years from the date of said option, and said Prison Commission may place upon said farms such convicts and work the same thereon. In connection with the handling of convicts upon farms the Prison Commission shall employ such superintendents as in their discretion may be deemed necessary. The compensation of a superintendent shall be not more than eighteen hundred dollars per annum and actual traveling expenses while in the discharge of his duties, together with a residence for himself and family, to be located on the farm of which he is superintendent. No superintendent shall be allowed to keep any live stock at the State's expense. Superintendents shall be required to give their entire time and attention to the duties of their office, and shall not engage in farming or any business in their own behalf.

SEC. 19. Be it further enacted, That the Prison Commission is hereby authorized, if they deem it necessary, to employ not more than four supervisors, who shall visit the various counties, inspect the convicts and their work, and perform such other duties as may be required of them by the Commission. If practicable, civil engineers shall be selected for these positions. The salaries shall not exceed one hundred and fifty dollars per month and actual traveling ex-

penses. The Commission shall also appoint such wardens and guards as may be necessary, and shall define their duties.

SEC. 20. Be it further enacted, That it shall be the duty of the supervisors to inform themselves thoroughly upon the subject of road building, and assist as far as possible those in different counties and municipalities in planning and constructing public roads, bridges and works, and it shall be the duty of the Commission to furnish those representing the various counties of the State engaged in building roads, bridges and public works, information on the subject of handling their convicts economically and successfully, with reference to the construction of public roads, bridges and other public works in which said counties and municipalities may be engaged.

SEC. 21. Be it further enacted, That the Prison Commission is authorized, in their discretion, to employ a road engineer, at a salary of not more than four thousand dollars a year and actual traveling expenses, to aid and advise in the work of road building and other public works provided in this Act. Such engineer, when so employed, shall give his entire time to said work, and shall be engaged in no other business.

SEC. 22. Be it further enacted, That the money derived from the present lease of convicts shall be apportioned to the counties not working their felony

convicts. Said amounts so apportioned shall be used as is now provided by law.

SEC. 23. Be it further enacted, That whenever the term "Prison Commission" appears it shall be construed to mean the official charged under the law in force at the time with the management and control of the State convicts.

SEC. 24. Be it further enacted, That all laws and parts of laws in conflict with this Act, be, and the same are, hereby repealed.

On motion of Mr. Holder, the substitute was considered by Sections for adoption.

The following amendment was offered and adopted.

By Mr. Tuggle—

Amend Section 2, by striking the words "together with" in line 26, of the printed substitute and inserting in lieu thereof, the words "and also" and by adding after the word "convicts," the words "if it so desires," in line 27, of the printed substitute.

The previous question was called and the main question ordered on Section 2, and pending amendments.

The following amendment was offered:

By Mr. Blackburn—

Amend by striking Sections 4 and 5, of substitute and inserting in lieu thereof, the following:

“Section 4. Be it further enacted that in awarding convicts to counties in excess of their proportion, they shall have the right to have awarded to them as many convicts as they desire upon such terms and conditions as herein set forth at, and for, the price of eighty dollars per capita, per annum; *provided*, that in the event the request by counties should exceed the number of convicts on hand, convicts shall be prorated between those counties making application for same.”

The previous question was called and the main question ordered on Sections 4 and 5, of the substitute and pending amendments.

On the adoption of the amendment, Mr. Blackburn called for the ayes and nays, which call was sustained, and on the call of the roll the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Berry,	Clifton,
Adkins,	Blackburn,	Collum,
Anderson of Bulloch,	Brown of Carroll,	Crawford,
Arnold,	Brown of Oglethorpe,	Culbreth,
Atkinson,	Butt,	Davison,
Austin,	Calbeck,	Donalson,
Barrett,	Cannon,	Dorminy,
Bell,	Chamlee,	Eaves,

Edmondson,	Hullender,	Pope of Dade,
Flannigan,	Jones of Meriwether,	Price of Oconee,
Fraser,	Keith,	Simmons,
Glenn,	Lumsden,	Slade,
Goode,	McMahan,	Slater,
Hamilton,	McWilliams,	Stephens,
Harris,	Martin,	Stewart,
Haywood,	Nix,	Sumner,
Heard,	Nowell,	Trent,
Holder,	Odum,	White of Madison,
Hubbard,	Peterson,	Wise,
Huff,	Pope of Brooks,	

Those voting in the negative were Messrs.—

Adams of Chatham,	Frier,	Price of Bartow,
Alexander,	Fullbright,	Reid of Putnam,
Anderson of Cobb,	Furr,	Reid of Wilcox,
Ashley,	Gibson,	Rogers,
Ballard,	Godley,	Russell,
Barksdale,	Guyton,	Ryals,
Barrow,	Hardeman,	Shaw,
Bowen,	Hill,	Sheffield,
Boyd,	Hines,	Smith of Calhoun,
Burwell,	Huie,	Smith of Campbell,
Callaway,	Jackson,	Strickland,
Candler,	Jones of Mitchell,	Stubbs,
Clark,	Kendall,	Swilling,
Cook of Chat'hoochee,	Kendrick,	Taylor of Appling,
Cooke of Thomas,	Lively,	Taylor of Sumter,
Covington,	Matthews,	Terrell,
Couch,	MacFarland,	Thorne,
Cowan,	McCarthy,	Thurman,
Davis,	McIntyre,	Townsend,
Dean,	McMullan,	Tracy,
Dickey,	Massengale,	Tuggle,
Duggan,	Mays,	Tyson,
Edwards,	Moore,	Walker of Lowndes,
Estes,	Morris,	Walker of Milton,
Fagan,	Orr,	Walker of Wash'gton,
Flanders,	Parker,	Warnell,
Foster,	Persons,	Watkins,
Fowler,	Powell,	White of Screven,

Whitley,	Wootten,	Young,
Williams,	Wright of Richmond,	
Wilson,	Wynne,	

Those not voting were Messrs.—

Adams of Wilkinson,	Ellison,	Mercer,
Allen,	Geer,	Mundy,
Atwater,	Hall,	Parrish,
Bond,	Howard,	Payton,
Buchannon,	Johnson of Jasper,	Perry,
Burkhalter,	Johnson of Jeff Davis	Reid of Macon,
Cook of Telfair,	Johnson of Towns,	Rountree,
Crumbley,	Lee,	Tift,
Daniel,	Lunsford,	Ward,
Dunbar,	McMichael,	Wright of Floyd,
Dykes,	Maxwell,	Mr. Speaker,

Ayes, 59. Nays, 91.

The roll-call was verified and on counting the votes cast it was found that the ayes were 59, nays 91; the amendment was, therefore, lost.

Mr. Fullbright called the previous question on Section 6, and pending amendments, and the main question was ordered.

The following resolution was read and adopted:

By Mr. Butte—

A resolution that the previous question on the bill and pending amendments be considered ordered at 12:30 o'clock, and that the session of the House be extended until the bill pending be disposed of.

The previous question was called and the main question was ordered on Section 7, of the substitute and pending amendments.

The following amendment was offered and adopted:

By Mr. Candler—

Amend Section 7, of the substitute by striking line 1, after the word “enacted” down to the word “provided” in line 8, of the printed substitute, and substituting the following: “That if after the expiration of the time fixed herein for the assignment of felony convicts to the different counties and municipalities, should it appear that there will remain on March 31st, 1909, any felony convicts, whose labor will not be used upon the public roads, bridges or other public works, by counties or municipalities or directly by the State, and who should not be confined at the State farm or farms, or otherwise employed by the State, the Prison Commission may in its discretion and with the consent and approval of the Governor dispose of such convicts as it may deem to the best interest of the State for a period not to exceed twelve months from March 31st, 1909.

The following amendment was adopted:

By Messrs. Crawford, McWilliams, Clifton, Tyson, Davison, Cullom, Haywood, Ryals, Slater, Donaldson, Chamlee, Adams, of Chatham; McCarthy,

Tuggle, Warnell, Morris, Anderson, of Bulloch; Wise, Glenn, Godley, Holder, Whitley, Persons, Dean, Perry, Dickey, Boyd, Smith, of Calhoun, and Blackburn—

Amend by adding a new Section to be appropriately numbered.

“Be it further enacted, That any county may purchase, rent and maintain a farm upon which to work any number of convicts in connection with working its convicts upon its public roads, bridges or other public works and all products and supplies arising from said farm shall be used in the support of the convicts, improvement of its public roads, bridges and other public works, and in support of the county institutions.”

The following amendments were adopted:

By Mr. MacFarland—

Amend Section 11, by adding the following words at the end thereof: “To be used for road purposes only ”

By Mr. McWilliams—

Amend Section 18, line 8, where the words “eighteen hundred” occur, and substitute, therefor, “twelve hundred.”

By Mr. Adkins—

Amend Section 21, by striking out the word “four” in line 2, and inserting in lieu, thereof, the word “three.”

Section 21, as above amended, was lost.

The following amendments were adopted as new Sections to be appropriately numbered:

By Mr. Smith, of Campbell—

“SEC. —. The clerk of the court wherein any person may be convicted and sentenced for violation of the criminal laws of this State, shall notify the Prison Commission immediately thereafter by mail of the conviction and sentence, together with a description of the person sentenced, which shall give the name, crime, sentence, age, sex, height, weight and apparent physical condition of such person; and the disposition made or to be made of said person.

“SEC. —. The Prison Commission shall keep a record of all convictions and sentences for violations of the criminal laws, and of the final disposition of each case.”

The report of the Committee was favorable to the passage of the bill by substitute as amended was agreed to.

On the passage of the bill by substitute, as amended, the ayes were 115, nays, 13.

The bill having received the requisite Constitutional majority was passed by substitute as amended.

Leave of absence was granted to:

Mr. Dickey and Mr. Payton.

On motion of Mr. Wise, the Speaker announced the House adjourned until 3 o'clock, this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

By unanimous consent the call of the roll was dispensed with.

The following message was received from the Senate through Mr. Northen, the Secretary thereof:

Mr Speaker:

The Senate has concurred in the following House resolution, to-wit:

A resolution to provide for finishing up the business of the extraordinary session of the General Assembly

Mr. Parker, Chairman of the Committee on Enrollment, submitted the following report:

Mr. Speaker:

The following resolution of the House has been duly examined, properly signed and is now ready for delivery to the Governor.

A resolution to provide for the finishing up of the business of the extraordinary session of the General Assembly.

Respectfully submitted,

W. M. PARKER,
Chairman.

On motion of Mr. Fullbright, the House took a recess, subject to the call of the Speaker.

At 4:30 p. m. the House was again called to order by the Speaker.

On motion of Mr. Alexander, the Speaker announced the House adjourned until tomorrow morning at 10 o'clock.

ATLANTA, GA.

SATURDAY, September 19, 1908.

The House met, pursuant to adjournment, this day at 10 o'clock a. m., was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

On motion of Mr. Holder, the House took a recess subject to the call of the Speaker.

At 11:10 a. m. the Speaker again called the House to order.

The following message was received from the Senate through Mr. Northen, the Secretary thereof:

Mr. Speaker:

The Senate has concurred in the House substitute for the following Senate bill with certain amendments thereto, to-wit:

A bill to provide for the future employment of felony and misdemeanor convicts upon the public roads and for other purposes.

The following communication from His Excellency, the Governor, was read:

September 18, 1908.

Hon. John M. Slaton,

Speaker of the House of Representatives,

Atlanta, Georgia.

Dear Sir:

I have received the resolution passed by the House of Representatives last Monday when my father died.

Please allow me to thank you and the members of the House for the honor paid to him and the kindness to me. I assure you that your action is fully appreciated.

Very sincerely,

HOKE SMITH.

By unanimous consent the following bill of the Senate was taken up for the purpose of concurring in Senate amendments to the House substitute to the said bill.

By Mr. Born, of the 34th district—

A bill to provide for the future employment of felony and misdemeanor convicts upon the public roads, and for other purposes.

The following Senate amendments were read and concurred in. *

Amend Section 3, by striking the word "may" after the word "commission," and before the word "as," and insert in lieu thereof, the word "shall."

Amend by striking in Section 2, the words "this provision as to," in line 8, and by striking line 19, and all of line 20, to the beginning of the sentence therein.

Amend by changing the number of Section 4, to number 5, and changing the number of Section 5 to number 4.

Amend Section 8. Insert between the word "labor," in line 7, and "as" in line 8, the words "on said farm:"

Amend Section 12. Insert between the words "are" and "disposed" in the 10th line of printed substitute, the word "herein."

Amend Section 19, by striking "bill" in line 2, and inserting "Act" in lieu thereof.

Amend Section 19, by striking the word "they" in line 2, to and including the word "and" in line 3.

Amend substitute by striking Section 24.

Amend substitute by striking Section 25.

The following protest was read:

Mr. Speaker:

I respectfully enter my protest as a member of the

House of Representatives of the State of Georgia.
to be entered upon the Journal against the action of
the House in passing the House substitute to Senate
bill No. 5.

I protest against the adoption of this substitute
on the following grounds:

1. The Senate bill provided for a disposition of
the convicts of this State without future leasing to
private corporations or individuals. Section 7, of
the House substitute, authorizes the Prison Commis-
sion, with the approval of the Governor, to lease con-
victs not taken by the counties and municipalities,
and it is against this Section especially that I enter
my protest.

2. In my judgment it is the plain duty of the
Assembly to put a complete stop to the future leas-
ing of convicts after the expiration of the present
contracts. If this were done in unmistakable terms,
I believe no future Assembly would re-establish the
lease system. But with this endorsement of such a
system in the present measure, future legislatures
could easily continue to extend the provisions of said
Section 7, without assuming the responsibility of
re-establishing the system.

3. The said Section leaves in the dyke erected
around the interests of the State in this matter such
a crevice that it can easily be widened to bring in
again the present system with all its menace to the
good name of the State and its great financial loss to

the people with the incidental enrichment of those to whom the convicts are leased.

4. It would take a comparatively small initial outlay of money to enable the State itself to get the benefit of the labor of over 2,500 able-bodied convicts, easily worth to the State seven hundred and fifty thousand dollars per annum, and the people would approve the temporary outlay which would secure them this benefit and at the same time do away with a system inherently vicious and the source of inhumanity and oppression.

5. I protest generally against the solution of the question adopted by the House substitute, as unwise, complicated, inadequate and ineffectual. The simple solution was to abolish the lease system, and put the convicts on the public roads under the direct control of the State, with enough on farms to support those on the roads.

Respectfully,

H. H. PERRY,

Member from Hall county.

Mr. Holder, Chairman pro tem. of the Committee on Rules, submitted the following report:

Mr Speaker:

The Committee on Rules direct me to report **back** House resolution No. 32, with the recommendation that it be adopted.

J N. HOLDER,

Chairman pro tem.

The report of the Committee was disagreed to and the resolution was lost.

The following resolution was read and adopted.

By Mr. Alexander—

Resolved by the House, the Senate concurring, that a Committee of five, three from the House and two from the Senate be appointed to call on the Governor and inform him that the General Assembly has completed the business for which it was called together and inquire if he has any other communication to lay before it.

In view of the fact that the Senate had passed a similar resolution, the above resolution of Mr. Alexander was reconsidered.

The following message was received from the Senate through Mr. Northen, the Secretary thereof:

Mr Speaker:

The Senate has adopted the following resolution in which the concurrence of the House is respectfully asked:

That a joint Committee be appointed to notify his Excellency, the Governor, that the General Assembly has completed its duties and is ready to adjourn sine die.

The Committee on part of the Senate are:

Senators Felder and Gordy

The resolution referred to above was concurred in and the Speaker announced the following as members of the Committee on the part of the House, to notify the Governor that the General Assembly is ready to adjourn, to-wit:

Messrs. Alexander, Watkins, Cooke, of Thomas.

The Speaker announced the following as members of the Western and Atlantic Railroad Commission: Messrs. Alexander, of DeKalb; Hall, of Bibb; Fullbright, of Burke.

The following message was received from the Senate through Mr. Northen, the Secretary thereof:

Mr Speaker:

The President of the Senate has appointed the following as members of the Commission from the Senate, under a resolution previously adopted by the General Assembly, to investigate the extension of the W & A. R. R. to the sea.

Messrs. Howard and Brantley

The following message was received from the Senate through Mr. Northen, the Secretary thereof:

Mr Speaker:

The Senate has adopted the following joint resolution, to-wit:

A resolution that the General Assembly do now adjourn sine die.

The following resolution of the Senate was read and concurred in.

By Mr. Steed, of the 37th district—

A resolution that the General Assembly do now adjourn sine die.

The Speaker announced the House adjourned sine die.

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